

THE

R. R. 22.

39.

TRIALS

OF

{ WILLIAM IRELAND,
{ THOMAS PICKERING, &
{ JOHN GROVE,

For Conspiring to Murder the

KING:

Who upon Full Evidence were found Guilty of

High Treason,

at the SESSION-HOUSE in Old-Bailie, Dec. 17.
1678, and received Sentence accordingly.

Reprinted at Dublin, MDC. LXXVIII.



The TRYALS of William Ireland, Thomas Pickering, and John Grove.

On Tuesday the Seventeenth day of December, One Thousand Six. Hundred Seventy and Eight, *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering* and *John Grove* were brought from his Majesties Gaol of *Newgate*, to the Sessions-house Office-Hall in the *Old-Bailly*, being there Indicted for High Treason, for contriving and coming to Murder the King, to receive their Tryal; and the Court proceeded thereupon lawfully.

The Court being Set, Proclamation was made for Attendance, Thus.

Clerk of Crown, Cryer make Proclamation.

Cryer, O ye, O yes, O yes, All manner of Persons that have any thing to do at this General Sessions of the Peace, holden for the City of *London*, Sessions of Oyer and Terminer and Gaol Delivery of *Newgate*, holden for the City of *London* and County of *Middlesex*, near and give your attendance, for now the Court will proceed to the Pleas of the Crown for the same City and County. God Save the King!

Clerk of Crown, Cryer make proclamation.

Cryer, O ye, All manner of Persons are commanded to keep Silence upon pain of Imprisonment. Peace about the Court.

Clerk of Crown, Cryer make Proclamation.

Cryer, O ye, You Good men of the County of *Middlesex* that are Summoned to appear on this day, to Enquire between our Sovereign Lord the King, and the prisoners that are now shall be at the Bar, Answer to your names as you shall be called every one at the first and Save your issues.

The Jurors being called and the Defaults recorded, the Clerk of the Crown called for Prisoners to the Bar, viz. *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove*, and Arraigned them thus,

Clerk of Crown, *Thomas White* alias *Whitebread*, hold up thy hand. Which he did.

William Ireland, hold up thy hand. Which he did.

John Fenwick, hold up thy hand. Which he did.

Thomas Pickering, hold up thy hand. Which he did.

John Grove, hold up thy hand. Which he did.

You stand indicted by the names of *Thomas White* alias *Whitebread*, late of the Parish of *Giles* in the fields in the County of *Middlesex*, Clerk; *William Ireland*, late of the same Parish and County, Clerk; *John Fenwick*, late of the same Parish and County, Clerk; *Thomas Pickering*, late of the same Parish and County Clerk; and *John Grove* late of the same Parish and County, Gent. For that you five as false Traitors. &c. against the peace of our Sovereign Lord the King, his Crown and Dignity, and against the Form of the Statute in that Case made and Provided. How sayst thou *Thomas White* alias *Whitebread*, art thou Guilty of this High Treason whereof thou standest Indicted or not Guilty?

Whitebread, Not Guilty.

Clerk of the Crown, Culprit how wilt thou be Tried?

Whitebread, By God and my Country.

A

Clerk

Clerk of Crown, God send thee a good deliverance. How sayst thou *William Ireland*, art thou Guilty of the same High Treason or not Guilty? *Ireland* Not Guilty.

Clerk of Crown, Culprit how wilt thou be tryed?

Ireland, By God and my Countrey.

Clerk of Crown, God send thee a good Deliverance. How sayst thou *John Fenwick*, art thou guilty of the same High Treason or not Guilty? *Fenwick*, Not Guilty.

Clerk of Crown, Culprit how wilt thou be Tryed?

Fenwick, By God and my Countrey.

Clerk of Crown, God send thee a good deliverance. How sayst thou *Thomas Pickering*, art thou Guilty of the same High Treason or not Guilty. *Pickering*, Not Guilty.

Clerk of Crown, Culprit how wilt thou be Tryed?

Pickering, By God and my Countrey.

Clerk of Crown, God send thee a good deliverance, How sayst thou *John Grove*, art thou Guilty of the same High Treason or not Guilty? *Grove* Not Guilty.

Clerk of Crown, Culprit, how wilt thou be Tryed?

Grove, By God and my Countrey,

Clerk of Crown, God send thee a good Deliverance. You the Prisoners at the Bar those men that you shall hear called and do Personally appear, are to pass between our Sovereign Lord the King and you: upon Tryal of your several Lives and deaths; if therefore you or any of you will Challenge them or any of them, your time is to speak unto them as they come to the Book to be Sworn, before they be sworn.

Sir Philip Mathews to the Book.

Sir Philip Mathews. I desire *Sir William Roberts* may be called first. Which was granted.

Clerk of Crown, *Sir William Roberts* to the Book. Look upon the Prisoners, you shall well truly Try and true deliverance make between our Sovereign Lord the King, and the Prisoners at the Bar, whom you shall have in your charge according to your Evidence. So he'p you God!

The same Oath was administered to the Rest, the Prisoners challenging none, and their Names in Order were thus.

JURY.

Sir William Roberts, Baronet.

Sir Philip Mathews, Bar.

Sir Charles Lee, Knight.

Edward VVilford, Esq;

John Foster, Esq;

Joshua Galliard, Esq;

John Byfield, Esquire.

Thomas Egglefield, Esq;

Thomas Johnson, Esq;

John Pulford, Esq;

Thomas Earnesby, Esq;

Richard VVheeler, Gent.

Clerk of Crown, Cryer count these, *Sir VVillam Roberts*. Cryer, One, &c,

Clerk of Crown, *Richard VVheeler*.

Cryer, Twelve, Good Men and True, stand together and hear your Evidence.

Clerk of Crown, Cryer make Proclamation.

Cryer, O yes, If any one can inform my Lords the Kings Justices, the Kings Serjeant, the Kings Attorney, or this Inquest now to betaken, between our Sovereign Lord the King and the Prisoners at the Bar, let them come forth and they shall be heard, for now the Prisoners stand at the Bar upon their deliverance: and all others that are bound by Recognizance to give Evidence against any of the Prisoners at the Bar, let them come forth and give their Evidence or else they forfeit their Recognizance, And all Jury men of *Middlesex*

that have been summoned and have appeared & are not sworn, may depart the Court and take their eases.

Cl: of Crown. Make proclamation of Silence.

Cryer, O yes, All manner of Persons are commanded to keep Silence upon pain of imprisonment.

Cl: of Crown, *Thomas white* alias *Whitebread* hold up thy hand which he did, and so of the rest.

You that are sworn look upon the Prisoners and harken to their Cause.

You shall understand, that they stand Indicted by the names of *Thomas White*, otherwise *Whitebread*, late of the Parish of St. Gyles in the Fields, in the county of *Middlesex* Clerk; *William Ireland*, late of the same Parish in the County aforesaid, Clerk; *John Fenwick*, late of the same parish in the County aforesaid, Clerk, *Thomas Pickering*, late of the same parish in the County aforesaid Clerk; and *John Grove*, late of the same parish in the County aforesaid Gentleman; For that they as false Traytors of the most Illustrious, Serene, and most Excellent Prince, Our Sovereign Lord Charles the II. by the Grace of God of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. Their supreme and natural Lord, not having the Feare of God in their hearts, nor the Duties of their Allegiance any ways weighing, but being moved and Seduced by the instigation of the Devil, the cordial love, and true, due, and natural obedience, which true and faithful Subjects of our said Sovereign Lord the King, towards our said Sovereign Lord the King, should and of Right ought to bear, altogether withdrawing & endeavouring, and with their whole strength intending the peace and common tranquillity of this Kingdom of England to disturb, and the true worship of God within this Kingdom of England, used and by Law established to overthrow, and to move, stir up, and procure Rebellion within this Kingdom of England, and the cordial love, and true and due obedience, which true and faithful Subjects of our said Sovereign Lord the King, towards our said sovereign Lord the King should and of Right ought to bear, wholly to withdraw, vanguard and extinguish, and our said Sovereign Lord the King to death, and final destruction to bring and put the 24th. day of April, in the year of the Reign of our said Sovereign L: Charles the II by the Grace of God of England, Scotland, France, and Ireland, King defender of the faith, &c. the 30th. at the Parish of St. Gyles in the Fields aforesaid, in the County of *Middlesex* aforesaid, falsely, maliciously, deceitfully, advisedly and Trayterously, they did propose, compute imagine, and intend, to stir up, move, and procure sedition and Rebellion within this Kingdom of England, and to procure and Cause a miserable slaughter among the Subjects of our said Sovereign L. the King. and wholly to deprive depose, throw down, and disinherit our said Sovereign Lord the King from his Royal State, Title, Power, and Government of this his Kingdom of England, and him our said Sovereign Lord the King to put to death, and utterly to destroy, the Government of this Kingdom of England, and the sincere Religion & worship of God in the same Kingdom, rightly and by the Laws of the same Kingdom established, for their will and pleasure to change and alter, and wholly to subvert and destroy the state of the whole Kingdom, being in all parts thereof well instituted and ordered, and to Levy War against our said Sovereign Lord the King within this his Realm of England. And to fulfil and bring to pass these their most wicked Treasons and Trayterous designs and purposes aforesaid, they the said *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, & *John Grove*, and other false Traytors unknown, the said 30th. and Twentieth day of April, in the said 30th. year of the Reign of our said Lord the King,

with force and arms, &c. at the parish of *St. Giles in the Fields* aforesaid, in the County of *Middlesex* aforesaid, falsely, maliciously, deceitfully, advisedly, devillishly and traiterously did assemble, unite and gather themselves together, and then and there falsely, maliciously, deceitfully, advisedly, devillishly and traiterously they did consult and agree to put and bring our said Sovereign Lord the King to death & final destruction, and to alter and change the Religion rightly and by the Laws of the same Kingdom established, to the superstition of the Church of Rome, and that sooner to bring to pass and accomplish the same, their most wicked Treasons and traiterous imaginations and purposes aforesaid, they the said *Thomas White* otherwise *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, *John Grove* and other false Traitors of our said Sovereign Lord the King unknown, afterwards (to wit) the said 24th day of *April*, in the said 30th year of the Reign of our Sovereign Lord the King, at the said parish of *St. Giles in the Fields*, in the County of *Middlesex* aforesaid, falsely, deceitfully, advisedly, maliciously, devillishly and traiterously they did consult and agree, that they the said *Thomas Pickering* and *John Grove* should kill and murder our said Sovereign Lord the King: And that they the said *Thomas White* otherwise *Whitebread*, *William Ireland*, *John Fenwick*, and other false Traitors unknown, should therefore say, celebrate and perform a certain number of Masses, (then and there agreed on among them) for the good of the soul of the said *Thomas Pickering*, and should therefore pay to the said *John Grove* a certain sum of money, (then and there also agreed on among them:) And further that the said *Thomas Pickering* and *John Grove* upon the agreement aforesaid, then and there falsely, deceitfully, advisedly, maliciously, devillishly & traiterously did undertake, and to the said *Thomas White* otherwise *Whitebread*, *William Ireland*, *John Fenwick*, and other false Traitors of our said Sovereign Lord the King unknown, then and there falsely, deceitfully, advisedly, maliciously, devillishly, and traiterously they did then and there promise, that they the said *Thomas Pickering* and *John Grove* our said Sovereign Lord the King would kill and murder: And further, that they the said *Thomas White* otherwise *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering* and *John Grove*, and other false Traitors of our said Sovereign Lord the King unknown, afterwards (to wit) the said 24th day of *April*, in the thirtieth year of the Reign of our said Sovereign Lord the King, at the said parish of *St. Giles in the Fields* in the County of *Middlesex* aforesaid, falsely, deceitfully, advisedly, maliciously, devillishly and traiterously did severally plight their Faith every one to other of them, and did then and their swear and promise upon the Sacrament, to conceal, and not to divulge their said most wicked Treasons, and traiterous compassings, consultations, and purposes aforesaid, so among them had traiterously to kill and murder our said Sovereign Lord the King, and to introduce the *Roman Religion*, to be used within this Kingdom of *England*, and to alter & change the true Reformed Religion, rightly and by the Laws of this Kingdom of *England*, in this same Kingdom of *England* established: And further, that they the said *Thomas Pickering* and *John Grove*, in execution of their said Traiterous Agreement, afterwards (to wit) the same 24th day of *April*, in the said thirtieth year of the Reign of our said Sovereign Lord the King, and divers other days and times afterwards at the said parish of *St. Giles in the Fields*, in the said County of *Middlesex*, falsely, deceitfully, advisedly, maliciously, devillishly and traiterously they did prepare and obtain to themselves, and had and did keep Muskets, Pistols, Swords, Daggers, and other offensive and cruel weapons and instruments, to kill and murder our said Sovereign Lord the King: And that they the said *Thomas Pickering* and *John Grove* afterwards, to wit, the said four and twentieth day of *April*, in the said thirtieth year of the Reign of our said Sovereign Lord the King, and divers

vers days and times afterwards with force and arms, &c. at the said parish of *St: Giles in the Fields*, in the County of *Middlesex* afore said, and in other places within the said County of *Middlesex* falsly, deceitfully, advisedly, maliciously and traitterously, did lie in wait, and endeavour to kill and murder our said Sovereign Lord the King; and further, that they the said *Thomas White* otherwise *Whitebread*, *William Ireland*, *John Fenwick* and other false Traitors unknown, afterwards (to wit) the said 24th day of *April* in the said thirtieth year of the Reign of our Sovereign Lord the King, at the said parish of *St: Giles in the Fields*, in the County of *Middlesex* afore said, falsly, deceitfully, advisedly, maliciously, devillishly and traitterously did prepare, perswade, excite, aber, comfort and counsel four other persons unknown, and subjects of our said Sovereign Lord the King, traitterously to kill and murder our said Sovereign Lord the King, against the duty of their allegiance, against the peace of our said Sovereign Lord the King, his Crown and Dignity, and against the form of the Statute in that behalf made and provided.

Upon this Indictment they have been arraigned, and thereunto have severally pleaded *Not guilty*, and for their Tryal have put themselves upon God and their Country, which Country you are.

Your Charge therefore is to enquire whether they or any of them be guilty of the High Treason, whereof they stand indicted, or not guilty. If you find them guilty you are to enquire what Goods or Chattels, Lands or Tenements, those you find guilty had at the time of the High Treason committed, or at any time since. If you find them, or any of them not guilty, you are to enquire whether they did flee for it; if you find that they or any of them fled for it, you are to enquire of their Goods and Chattels; as if you had found them guilty. If you find them or any of them not guilty, nor that they, nor any of them fled for it, say so, and no more, and hear your Evidence.

Make Proclamation for silence on both sides. Which was done. Then *Sir Creswell Levings*, one of the Kings learned Council in the Law, opened the Indictment, thus:

Sir Cresw. Levings. May it please your Lordship, and you Gentlemen of the Jury. These Prisoners at the Bar, *Thomas White*, alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering* and *John Grove* do all stand indicted of High Treason; for that whereas they, as false Traytors, meaning and designing to, disturb the Peace of the Kingdom, to levy War within the Kingdom, to make miserable slaughter amongst the Kings Subjects, to subvert the Religion established by the Law of the Land, to introduce the Superstition of the Church of *Rome* and to bring to death and final destruction, and to murder and assassinate our Sovereign Lord the King, they did, to effect these things, the four and twentieth of *April* last assemble themselves together with many other false Traytors, yet unknown, in the parish of *Saint Giles in the Fields*, in the County of *Middlesex*, and there, being so assembled, the better to effect the said designs did make agreements and conspire together; first, that *Pickering* and *Grove* should kill the King, and that *White* and the rest of the persons that stand indicted, with many other Traytors, should say a great number of Masses for the soul of the said *Pickering*, I think thirty thousand, and they did further agree there that *Grove* should have a great sum of money, and upon this agreement *Grove* and *Pickering* did undertake and promise they would do this fact, and did then and there take the Sacrament and an oath to one another upon the Sacrament, that they would conceal these their Treasons, that they might the better effect them: and that

in pursuance of this, *Grove* and *Pickering* did divers times ly in wait to murder the King, and did provide Arms to do it; and the Indictment further sets forth, that *White*, and *Ireland*, and *Fenwick* and many other Traytors yet unknown, did procure four other persons, yet also unknown, for to kill the King, against the peace of our Sovereign Lord the King, his Crown and Dignity, and against the form of the Statute. These are the heads of those facts for which they stand indicted: they have all pleaded not Guilty, if we prove them or any of them Guilty of these or any of these facts according to the Evidence you shal have, we hope you will find it.

Sir *Samuel Baldwin*, one of his Majesties Serjeants at Law opened the Charge as followeth.

Sir *Samuel Baldwin*. May it please your Lordship and you Gentlemen of the Jury, the persons here before you stand indicted for High Treason, they are five in number, three of them are *Jesuits*, one is a *Priest*, the fifth is a *Layman*, persons fitly prepared for the work in hand.

Gentlemen, it is not unknown to most persons, nay to every one amongst us, that hath the least observed the former times, how that ever since the Reformation there hath been a design carried on to subvert the Government, and destroy the Protestant Religion established here in *England*, for during all the Reign of *Queen Elizabeth* several attempts were made by several *Priests* and *Jesuits*, that came from beyond the Seas, (though the Laws were then severe against them) to destroy the Queen, and alter the Religion established here in *England*, and to introduce Popery and the Superstition of the Church of *Rome*.

But the Conspirators from time to time, during all the Queens Reign, were disappointed, as *Edmond Cambrion* and several other *Jesuits*, who came over in that time, and were executed & did suffer for their Treasons according to Law: at length about the latter end of the Queens time, a Seminary for the *English Jesuits* was founded at *Valledolid* in *Spain*, and you know the emloyment such persons have.

And soon after the Queens death, in the beginning of the Reign of King *James* several persons came over into *England* from this very Seminary, who, together with one *Henry Garnet*, Superior of the *Jesuits* then in *England*, and divers other *English Papists*, hatched that hellish Gunpowder-plot; whereby what was designed you all know, but as it fell out, these persons, as well as those in *Queen Elizabeths* time, were likewise disappointed for their execrable Treasons, in the third year of King *James*, were executed at *Tyburn* and other places.

This is evident by the very Act of Parliament in 30. *Jacobi* in the preamble whereof mention is made that *Creswel* and *Tesmond Jesuits*, came from *Validolid* in *Spain* to execute this Gunpowder-Treason with the Popish party here in *England*.

And Gentlemen, after this Treason, so miraculously discovered, was punished, one would not have thought that any future age would have been guilty of the like Conspiracy; but it so falls out, that the Mystery of Iniquity and Jesuitism still worketh, for there hath of late been a sort of cruel bloody minded persons, who, in hopes to have better success than they had in so mer times, during the Reigns of *Queen Elizabeth* and King *James*, have set on foot as horrid a Design as that of the Gunpowder-Treason; I can resemble it to no other Plot, or Design, or Treason in any other time, and truly it does resemble that, in many particulars: I may say, it doth at least equal it, if not exceed it.

I shall mention two or three particulars, in which this Plot doth resemble that.

First

First, that horrid Design was to take away the Life of the then King, to subvert the Government, to introduce the Popish Religion, and to destroy the established Protestant Religion in *England*, and so Gentlemen, we think our proof will make it out, that in each of these particulars this design is the same that that was.

Secondly, the great Actors in that design were Preists and Jesuits that came from *Vale-dolid* in *Spain* and other places beyond the Seas. And the great Actors in this Plot are Priests and Jesuits, that are come from *St. Omers*, and other places beyond the Seas nearer home than *Spain*.

Thirdly. That plott was chiefly Guided and mannaged by *Henry Garnett*, Superiour and provincial of the Jesuits then in *England*; and the great Actor in this design, is *Mr. Whitebread*, Superiour and provincial of the Jesuits now in *England*; so that I say in the several particulars it does resemble the Gun Powder plot.

Gentlemen, In this plot of which the Prisoners now stand Indicted several Persons have several parts, some of these persons are employed to keep Correspondence beyond the Seas, (of which more hath been said in another place, and so I shall not speak of it here Others were to procure and prepare Aid and Assistance here in *England*, who were to be ready when there should be Occasion to use it. But the great part these persons (the prisoners at the Bar,) were to Act in this conspiracy, was, to take away the life of our Sovereigne Lord the King, on whose preservation the safety and welfare of three rations (and Millions of men) does depend. Now the facts for which the five prisoners stand indicted, I shall open thus ;

First they are here Indicted for *Conspiring the Death of his sacred Majesty*: They did agree to take away the Kings life, and entring into such an agreement; They hired some persons amongst them to doe it; and this Agreement was made the 24th. of *April*, last, 1678.

Secondly, There is another fact they likewise stand Indicted for: That they did Endeavour and contrive to change and alter the Religion Established in the Nation, and introduce Popery in the room of it. The manner how to Effect this, was thus, if my information be right; you shall hear that from the Evidence, *Mr. Whitebread* being resident here in *England*, and Superiour of the Jesuits, did in *February* last think fit, (being impowred by Authority from *Rome*) to give summons to the Jesuits abroad, at *St. Omers*, and other places beyond the Seas, That they should come over here into *England*, to be ready at *London*, on the 24th. of *April*, the day laid in the Indictment and which is the day after *St. Georges* day; and their design was (as will appear by the proof) to contrive how they may take away the life of the King; for, if that were once done, they thought, in all other things, their design would easily be accomplished, after the summons were out, they were so Officious for the Accomplishing of this great end, that between 40. and 50. Jesuits did appear here at *London* at the time, (for thither they were summoned) and there the meeting was appointed to be at the *White-horse Taverne* in the strand they were to meet first; but being so great a number, that they were likely to be taken notice of, if they came all together, it was so Ordered, they should come but a few at a time, and go off in small numbers; and others should succeed them, till the whole number had been there. And there were directions given, and a Course taken, that there should be some person, to tell them whither they should go from thence. After they had met there at several times in the same day, they were appointed, and adjourned to be at several other places, some of them were appointed to be at *Mr. Whitebread's* Lodging, and that was in *Wild-street*, at one *Mr. Sanders* house: Others were appointed, to go to *Mr. Ireland's* Lodging

ing, which was in *Russellstreet*, (and this *Mr. Ireland* was Treasurer of the Society) : and others were to meet at *Mr. Fenwick's* Chamber in *Drury-Lanes*; and he was at that time Procurator and Agent for that Society. Others were appointed to meet at *Harcourt's* Lodgings; and others at other places.

When they came there, they all agreed to the general design of the first meeting, which was, *To kill the King*. Then there was a paper, or some instrument to be subscribed. This was done, and the Sacrament was taken for the concealment of it. After that, *Whitebread, Ireland, Fenwick*, and others, did agree, that *Mr. Grove* and *Mr. Pickering* should be employed to *Assassinate the King*. One of them (*Mr. Grove*) being a lay Brother, was to have 15, hundred pounds, a great sum, the other, as a more suitable reward for his pains, was to have 30. Thousand Masses said for his Soul : *Mr. Whitebread, Mr. Ireland, and Mr. Fenwick*, (were all privy to this design, & this was the 24th. of *April*. In August after) they being appointed to *kill the King*, but it not taking effect, either their Hearts misgave them, or they wanted opportunity) there was another meeting at the *Savoy*, where the Witnesses will tell you, four Irish persons were hired for to *Kill the King*. And this was ordered, in case the other design took not Effect. There was fourscore pounds sent down to them to *Windsor*, where they were to have done the fact. After this, other persons were appointed to do the Execution, and they were to take the *King* at his Morning Walk at *New-Market*.

These persons are all disappointed in their design: But you shall hear what was the Agreement, how it was carried on, and what rewards were given to carry it on. We shall acquaint you likewise, that for the bottom of this design (when so many Jesuits should come over, when they should have so many Consultations, and when they should resolve to *Kill the King*) there could be no less then the altering of Religion, and introduction of Popery here in *England*. And that time, at the first meeting, they had Ordered, that *Mr. Cary* a Jesuit as their Procurator and Agent, should go to *Rome*, to Act their concern there. All which things and more, will be made out to you by Witnesses produced. There are likewise, some other Circumstances that will be material to confirm those witnesses. We shall produce to you a letter written in *February* last, about that time that *Mr. Whitebread* sent over his summons for the Jesuits to appear here. This letter was written by one *Mr. Peters*, a Jesuit now in Custody; and tis Written to one *Tunstall* a Jesuit, to give him notice, that he should be in *London* about the 21th. of *April*, and be ready on the 24th. of *April*. That he knew what the business was; but he did advise him, that he should conceal himself, lest the plot by observation) should be discover'd. We shall likewise produce several other evidences, to strengthen and confirm the Witnesses: we shall first call our witnesses, and enter upon the proof.

Mr. Finch opened the Evidence thus.

Mr. Finch, May it please your Lordship, and you Gentlemen of the Jury, before we call our witnesses, I would beg leave once more to remind you, of what hath already been open'd unto you, the Quality of the Offenders themselves and the nature of the offence they stand indicted of.

For the Offenders, they are most of them, Priests and Jesuits; three of them at the least are so; the other two, are the accursed Instruments of this Design: for the offence it self, 'tis High Treason.

And though it be High Treason by the Statute of 27. *Elizabeth*, for men of that profession to come into *England*, yet these men are not Indicted upon that Law, nor for that

Treason

Treason : This I take notice of to you for the prisoners sake, that they should not fancy to themselves they suffered *Martyrdom* for their Religion, as some of them have vainly imagin'd in their case; and for your sakes too, that as at first, it was Treason, repeated Acts of Treason, in these men; and those proceeding from a principle of Religion too, that justly occasioned the making that Law: so here you might observe a pregnant instance of it in the prisoners at the Bar, That when ever they had an opportunity, as now they thought they had, they have never failed to put those principles into practice.

So now, Gentlemen, as they are not indicted for being *Priests*, I must desire you to lay that quite out of the Case, and only consider that they stand here accused for Treason; such Treason, as, were they Lay-men only, they ought to die for it; though I cannot but observe, they were the sooner Traitors for being Priests.

The Treason therefore they stand indicted of, is of the highest nature: it is a Conspiracy to kill the King, and that too with Circumstances so aggravating (if any thing can aggravate that Offence which is the highest) that nothing less than the total Subversion of the Government, and utter Destruction of the Protestant Religion, would serve their turns. And really, when you consider the Root from whence this Treason springs, you will cease wondering that all this should be attempted, and rather wonder that it was not done.

Mischiefs have often miscarried for want of wickedness enough; the Horror of Conscience, or else, the Malice of the Aggressor not being equal to the Attempt, has sometimes prevented the Execution of it. Here is no room for any thing of this kind: This Treason proceeds from principles of Religion, from a sense that it is lawful; nay, that they ought to do these things; and every neglect here, is lookt on as a piece of Irreligion, a want of zeal; for which one of the Prisoners did penance, as in the course of our Evidence we shall prove unto you.

And when we consider too, that this is carried on, not by the Fury of two or three busie men over zealous in the Cause, but by the deliberate, and steady Councils of the whole Order, and that too under the Obligations of Secrecie as high as Christian Religion can lay on them; you have great reason to wonder that it did not succeed. And yet after all this they have not been able to prevail. Not that we can brag of any human policy that did prevent it; No, all that the Wit of man could do, these men had done: but 'twas the Providence of God, 'twas his Revelation; That Providence that first enlighten'd his Church, and has preserv'd it against all opposition heretofore, has once more disappointed their Councils, and preserv'd the King and this Nation in the profession of that true Religion these men have vainly attempted to destroy.

Gentlemen, I will not open to you the particulars of our Evidence, that I had rather should come from the Witnesses themselves; I shall only in general tell you what will be the Course of it. We shall prove unto you, That there was a Summons for a Consultation to be held by these men the 24th of April last, from the Provincial Mr. *Whitebread*; That they had a Caution given them not to come too soon, nor appear much about the Town, till the Consultation were over, lest occasion should be given to suspect the Design: That accordingly a Consultation was held, as they say, to send *Cory*, their Procurator to Rome; Though we shall prove to you, it was for other purposes: That they adjourn'd from their general Assembly into lesser Companies, where several persons did attend them to carry Intelligences of their several Resolutions: That at several

several Consults, they did resolve, The King was to be killed; that *Pickering* and *Grove* should do it; for which the one was to have 300000 Masses said for his Soul: the other 1500 l. That in prosecution of this Design, they made several attempts to execute it, That they lay in wait for the King several times in *St. James's Park* and other places; And that once in particular, it had been done by *Pickering*; if it had not pleased God to have prevented it by an Accident unforeseen; The Flint of his Pistol being loose, he durst not then attempt it, though he had an Opportunity; for which neglect, we shall prove unto you, he underwent the penance of 20 or 30 strokes. That when these men had failed, we shall prove to you they hired four Russians to murder the King at *Windfor*, and after that at *Newmarket*. Thus they way-laid him in all his privacies and retirements, wherever they could think it most convenient to execute their Design.

And this we shall prove by two Witnesses; who, though they should not speak to the same Consultations, nor the same times, yet they are still two Witnesses in Law: for several Witnesses of several Overt-Acts, are so many Witnesses to the Treason; because the Treason consists in the Intention of the man, in the Compassing and Imagining the Death of the King. The several Overt-Acts which declare that intention, are but as so many Evidences of the Treason; we will call our Witnesses, and make out what had been open'd to you.

Cl. of Cr. Mr. Oates, lay your hand upon the Book. The Evidence you shall give for our Sovereign Lord the King against *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove*, the prisoners at the Bar, shall be the truth, the whole truth, and nothing but the truth. *So help you God.*

Mr. Serj. Baldwin. Pray *Mr. Oates*, will you declare to the Court and the Jury, what Design there was for the killing of His Majesty, and by whom.

Mr. Oates. My Lord in the month of December last, *Mr. Thomas Whitebread* did receive a Patent from the General of the Jesuits at Rome to be Provincial of the Order; after he had received this Patent, he sent Orders to one *George Conyers* a Jesuit at *St. Omers* to preach upon *St. Thomas of Canterburys* day; and by virtue of this Order, *George Conyers* did preach against Oaths of Allegiance and Supremacy, and did in his Doctrine call them Anti-Christian and devillish. My Lord, in the month of January, this *Mr. Whitebread* did send several Letters to *St. Omers*, in which Letters there was contained Intimation of his Intent to proceed against the Kings Person to assassinate Him, which Letters were written to *Richard Asby*. My Lord, in the month of February, there comes an Order from him, as Provincial, for several of the Jesuits to make their appearance at London, to be there at a Consult to be held the 24th of April, Old stile,

Lord Ch. Just. Where was *Whitebread* then.

Mr. Oates. He was then in London, My Lord, as I suppose by the dating of his Letters. My Lord, from *Mr. Whitebread* after this Summons, we received a second Summons, which came the 5th of April, New stile, and upon the Summons there were Nine did appear at London, the Rector of *Liege*, *Sir Thomas Preston*, the Rector of *Ghent*, whose name is *Marsh*, the Rector of *Wetton*, whose name is *Williams*, and to one *Sir John Harper* and two or three more from *St. Omers*, and there was a special Order given us, My Lord, to keep our selves close, lest we should be suspected, and so our Design disclosed. My Lord, upon the four and twentieth of April Old stile we did appear in the Consult. The Consult was begun at the *White horse-Tavern* in the Strand, and there they met in several

several Rooms, they came on by degrees, and as the new ones came on, the old ones, those that had been there before them, fell off. And there was one *John Cary* appointed to go Procurator for *Rome*, and he was so appointed by the suffrages of the three Prisoners at the Bar, *Whitebread*, *Ireland* and *Fenwick*. It was afterwards adjourned into several Colloquies or little meetings; one meeting was at *Mrs. Sanders* house that butts upon *Wild-house*, a second was at *M. Ireland's*, a third was at *Mr. Harcourt's*, a fourth was at *Mr. Grove's*, and other meeting or meetings there were, but I cannot give a good accompt of them. My Lord, after they had thus met, and debated the state of Religion, and the life of the King, they drew up this Resolve; it was drawn up by one *Mico*, who was Secretary to the Society, and *Socius* or Companion to the Provincial.

L. Ch. Just. When was that done?

Mr. Oates. That day, my Lord, the Resolve, my Lord, was this, as near as I can remember the words. It is resolved, that *Thomas Pickering* and *John Grove* shall go on in their Attempt to assassinate the King (whether they used the word Assassinate I can't remember, but the meaning was, they should make an Attempt upon his person,) and that the Reward of the one, that is *Grove*, should be Fifteen hundred pounds, and that *Pickering's* Reward should be Thirty thousand Masses. My Lord, after this Resolution was signed by *Whitebread*, it was signed by *Fenwick* and *Ireland*, and by all the four Clubs; I saw them sign it, for I carried the Instrument from one to another.

L. Ch. Just. What was it they signed? *Mr. Oates.* The Resolve of the Consult.

L. C. Just. What that which was drawn up by *Mico*?

Mr. Oates. Yes, my Lord, that which was drawn up by *Mico*?

Whitebread. Doth he say that he saw them sign it?

Mr. Oates. Yes. I did see them sign it.

Jury. We desire he may be asked where he saw them sign it.

Mr. Oates. *Mr. Whitebread* signed it at that part of the Consult that was at his Chamber; *Ireland* did sign it at that part of the Consult that was at his Chamber *Fenwick*; signed it at that part of the Consult that was at his Chamber.

Whitebread. Were you at all these places.

Mr. Oates. I went with it from place to place, but I mention no more now but only these.

Whitebread. You were not at all these places, and saw them sign it, were you?

Mr. Oates. Yes, I did see them sign it at all those places. My Lord in the month of May, *Mr. Whitebread* came over as Provincial from *England* to *St. Omers*, to begin his Provincial Visitation, and with him came *Cary* and his Companion *Mico*. *Cary* left *Sr. Omers* to begin his Journey to *Rome*; *Whitebread*, after he had given an Accompt of what proceedings the Catholicks of *England* had made in order to disturb the peace of the Kingdom, what moneys had been gathered, what suffrages dispersed, what means have been used, what Noblemen had joyned in this execrable Plot; he did then (my Lord) order me to come for *England*.

L. Ch. Just. *Whitebread* did.

Mr. Oates. Yes, my Lord *Whitebread* did; And, my Lord the business I was to come into *England* for, was to murder one *Dr. Tongue* a Dr. in Divinity, who had written a Book called *The Jesuits Morals*; that is to say, Translated them out of *French* into *English*, my Lord I came over into *England* on the the 23th of *June* New stile, I came out of *St. Omers*, that is the 13th in the stile of *England*, on the 24th New stile I took the

Packet Boat at *Calice* the 25th. New stile I met with Mr. *Fenwick* at *Down*. He was come down with certain youths to send them to *St. Omers* and had ordered their passage.

My Lord, with Mr. *Fenwick* and some other persons, we came to *London* in a Coach, and six miles (as near as I remember it) on this side *Canterbury*, at a place called *Bolton*, our Coach was stopt by the searchers, and there they did examine a Box that was in the Coach, directed for the honourable *Richard Blundel Esq*; this Box when they opened it, they found full of Beads, Crucifixes, Images, and other sorts of Tromperry, that I cannot give a good account of; it's he can give the best: Mr. *Fenwick* went by the name of one *Thompson*, and did personate one *Thompson*, as Living near the *Fountain-Tavern* at *Charing-Cross*; and did order the searcher to write to him there, as by the name of *Thompson*. When the Box was seized, they being prohibited Goods, Mr. *Fenwick* did say; that if they had searcht his Pockets, they had found such Letters about him, as might have cost him his life; but his Letters did escape searching. We came that night to *Sittenburgh*, and lay there on *Sunday* the 26th. new stile, as near as I remember; and I think we staid there till the afternoon, We took Coach in the afternoon and came as far as *Dartford*. On *Monday* morning we came into *London*; and (my Lord) when we came into *London*; and had continued there some dayes. (I now return to Mr. *Whitebread*.) There came one *Ashby* to town, he had been sometime Rector of *St. Omers*, and was come to *England* sick of the Gout, and was to go to the *Bath* to be Cured. And he brought instructions with him from *Whitebread*, and the instructions contained in them these particulars: instructions or memorials, or what else they called them. First, that Ten Thousand pounds should be proposed to Sir *George Wakeman*, for the Killing of the King. Secondly, that care should be taken for the murder of the Bishop of *Hereford*. Thirdly, that care should be taken for the murder of Doctor *Stillingfleet*. Fourthly, that though this proposal was made to Sir *George Wakeman* of 10000 *l*, yet *Pickering* and *Grove* should go on still in their Attempts (my Lord) afterwards these were taken and Copied out, and dispersd to the several conspirators in the Kingdom, whose names I cannot call to mind. But *Coleman* made several Copies and dispersd them about: Then the 10000 *l*. was proposed to Sir *George Wakeman* but it was refused.

L. C. J. What, it was too Little?

Mr. *Oates*, Yes, (my Lord) it was too Little. Then *Whitebread* he Writ from *St. Omers*, that in case 10000 *l*. would not do, 15 should be proposed, and after that he had had that proposed, he accepted of that.

L. C. J. Were you by when he accepted it.

Mr. *Oates*, No (my Lord,) I was not: But it appeared upon their entry Books, and it appear'd by a Letter from this Gentleman Mr. *Whitebread*, wherein he did shew a great deal of Joy for Sir *George Wakemans* accepting of the 15 thousand Pounds.

(My Lord,) After this was agreed upon, that Sir *George Wakeman* should have 15000 and 5000 of it was paid by *Coleman* or his Order. Thus the state of affairs stood till August. Then one *Fogartiey* who is dead, came to a consult of the Jesuits with the *Benedictines*. Now at this consult the Prisoner at the Bar *Fenwick* was, he was one, and *Harcourt* was another, and in this consult there were four Russians recommended to them,

L. C. J. By whom?

Mr. *Oates*, By *Fogartiey*, they were recommended, but accepted of by these consultors and consented to by *Fenwick*, they were sent away, and the next day after 4 score pounds was sent them, the most part of it was Gold, and *Coleman* was there and gave the money.

ſenger a Guiny to expedite his Errand. (my Lord) In the month of *Auguſt* there came o-
ther Letters from *Whitebread*, wherein he did give an account of what care he had taken of
the Scotch Buſineſs, and he ordered one *Moor* and one *Sanders* alias *Browne*, to go down
to *Scotland*, and he did order the Rector of *London*, then *William Harcourt*, to ſend them;
and he did ſo ſend them the 6th. of *Auguſt* in the name of the Provincial.

Whitebread, From whence I pray?

Mr. *Oates* From *London*, and they went to proſecute and carry on the deſign which
Fenwick and *Ireland* had plotted, of a Rebellion amongſt the diſaffected Scots againſt the
Governors appointed them by the King, and they ſent down Miniſters to Preach under
the notion of Presbyterian Miniſters, in order to get the diſaffected Scots to riſe, by inſi-
nuating the ſad condition they were likely to be in, by reaſon of Episcopap Tyranny,
(as they termed it) And that they were reſolved to diſpoſe of the King, and they did
intend to diſpoſe of the Duke too; in caſe he did not appear Vigorous in promoting the
Catholick Religion; (I ſpeak their own words.)

L. C. J. Have you done with your Evidence? What do you know of the Priſoners
at the Bar? name them all.

Mr. *Oates*, There is *Whitebread*, *Ireland*, *Fenwick*, *Pickering* and *Grove*.

Lord Ch. Juſt. Are you ſure *Pickering* and *Grove* accepted of the Terms?

Mr. *Oates*. Yes, (my Lord) I was there.

L. C. Juſt. Where was it?

Mr. *Oates* At Mr. *Whitebread's* Lodgings, at Mrs. *Sanders* houſe. As for *Grove*, indeed
he did attend at that time upon *Fenwick* at his Chamber; but after the conſult was over
he came to *Whitebread's* Lodgings, and did take the Sacrament and the Oaths of ſecrecy
upon it, and did accept it, and agree to it.

L. C. Juſt. Were you there when he took the Sacrament?

Mr. *Oates*, Yes, (my Lord) I was.

L. C. Juſt. Who gave you the Sacrament?

Mr. *Oates*, It was a Jeſuit, that goes by the name of one *Barton*.

Whitebread, (my Lord, before I forget it, I deſire to ſay this. He ſays that at ſuch and
ſuch conſults in *April* and *May*, he was preſent and carryed the Reſolutions from one
to an other. There are above a hundred and a hundred, that can teſtify he was all
that while at St. *Omers*. Pray tell me when I received the Sacrament?

Mr. *Oates*, At the ſame time.

Whitebread, What day was that?

Mr. *Oates*. The 24 h. of *April*.

Whitebread, Was I there?

Mr. *Oates*, you were there,

Whitebread, I take God to witneſs I was not.

L. C. Juſt. Mr. *Whitebread* you ſhall have time to make your Answer. But Mr. *Oates*
pray Mr. *Oates*, when was Mr. *Cary* diſpatched away to *Rome*, and what was his Errand?

Mr. *Oates*, (my Lord) I'll tell you, he was approved of to go to *Rome* the 24 h. of
April, in the Month of *May* or *June*, *Whitebread* brings *Cary* over to St. *Omers*, and one
Mico his Secretary, or companion with him.

L. C. J. When waſt?

Mr. *Oates*, In the month of *May* or *June*, he was brought over by the Provincial: Then
went away on his Journey, and at *Paris* received 200 l. to bear his charges.

Mr. *Finch*, What do you know of any attempts to Kill the King at St. *James Park*?

Mr. *Oates* I ſaw *Pickering* and *Grove* ſeveral times Walking in the Park together with
their

their Screw'd Pistols, which were longer then Ordinary Pistols, and shorter then some Carbines. They had Silver Bullets to shoot with, and Grove would have had the Bullets to be champ't for fear that if he should shoot, if the Bullets were round, the wound that might be given, might be cured,

L. C. J. Did Grove intend to champ them?

Mr. Oates He did say so.

L. C. J. Did he shew you the Bullets?

Mr. Oates. I did see them.

Grove When was this,

Mr. Oates I saw the Bullets in the month of May and in the month of June,

Whitebread, Pray where did you see them.

Mr. Oates. in Groves Possession.

Whitebread, At what times?

Mr. Oates. in the month of May;

Whitebread, Then was he Actually himself at St. Omers? Was it in May or June?

Mr. Oates, The latter end of May or June. I saw them then twice if not thrice, But, Pickering's I saw in August.

Sir Cr. Levings, do you know any thing of Pickering's doing Penance, and for what?

Mr. Oates, Yes. (my Lord) In the Month of March last, (for these Persons have followed the King several years) but he at that time had not look't to the Flint of his Pistol but it was Loose, and he durst not venture to give fire. He had a fair opportunity, as Whitebread said; and because he mist it through his own negligence, he underwent Penance and had 20 or 30 strokes of discipline, and Grove was chidden for his carelessness.

L. C. J. That was in March last?

Mr. Oates, Yes my Lord.

L. C. J. How do you know that.

Mr. Oates, By Letters that I have seen from Mr. Whitebread, these I saw and Read, and I know Whitebread's hand.

Mr. Serj. Baldwyn, What do you know of the Ruffians that went down to Windsor what success had they?

Mr. Oates, I can give no Account of that, because in the beginning of September this Gentleman that had been in England some time before, was come to London, and the business had taken Air, and one Beddingfield had written to him, that the thing was discovered, and that none but such a one could do it, naming me by a name that he knew I went by.

Whitebread. When was that Sir

Mr. Oats. In the month of September last, I came to the Provincial's chamber, the 3th of September, when I came I could not speak with him, for he was at supper; but when he had sup'd I was admitted in, and there he shewed me the letter that he had received from Beddingfield.

Whitebread, Where did you see it.

Mr. Oats. You read it to me when you chide me, and beat me, and abused me.

L. C. J. What did he chide you for?

Mr. Oates. He did charge me with very high language of being with the King, & with a minister, and discovering the matter. I was so unfortunate that the Gentleman who was with the King did wear the same colour'd cloathes that I did then wear: And he having given an Account that the party wore such cloathes, the suspicion was laid upon me. Now my Lord, I had not then been with the King, but another Gentleman had been with him from me with the draught of some papers concerning this Business, which I had drawn

drawn up, and I was ready to appear when I should be called to justify them, only I did not think fit to appear immediately; And, my Lord, this *Beddingfield* he had gotten into it, that it was discovered, and writ the Provincial word, he thought it was by me, When he had received this letter he asked me with what Face I could look upon him since I had betrayed them: so my Lord, I did profess a great deal of innocency, because had not then been with the King; but he gave me very ill language, and abused me, and was afraid of a worse mischief from them; for I could not but conclude, that if they dealt so cruelly with those that only writ against them, I could scarce escape, of whom they had that Jealousie that I had betrayed them; And my Lord, though they could not prove that I had discovered it, yet upon the bare suspicion I was beaten, and affronted, and reiled, and commanded to go beyond Sea again, nay, my Lord, I had my lodging assaulted to have murdered me, if they could.

Whitebread, By whom?

Mr. Oates, By *Mr. Whitebread*, and some of them.

Whitebread, Who beat you?

Mr. Oates, *Mr. Whitebread* did.

Mr. Serj. Baldwyn, Was it *Pickering* or *Grove* that had the Flint of his Pistol loose?

Mr. Oates, *Pickering*. *Pickering*, My Lord, I never shot off a pistol in all my life.

L. C. J. What say you to the fourscore pounds?

Mr. Oates, My Lord, I will speak to that, that was given to the four Russians that were to Kill the King at *Windsor*; Now, my Lord that money I saw.

L. C. J. Where did you see it?

Mr. Oates, at *Harcourts* Chamber.

L. C. J. Where is that?

Mr. Oates, In *Dukestreet*, near the *Arch*.

L. C. J. Who was it given by?

Mr. Oates, *William Harcourt*.

L. C. J. did you see the four fellows?

Mr. Oates, No (my Lord) I never did, nor never knew their names.

L. C. J. Who was the money given to?

Mr. Oates, A messenger that was to carry it down to them.

L. C. J. Who was that messenger?

Mr. Oates, One of theirs that I do not know, and I durst not be too inquisitive, (my Lord) for fear of being suspected.

L. C. J. Who was by when the money was paid?

Mr. Oates, *Coleman* that is executed; and my Lord, there was this *Mr. Fenwick* by, that is the Prisoner at the Bar.

Fenwick, When was this?

Mr. Oates, In the month of *August*.

Fenwick, Where?

Mr. Oates, At *Harcourts* chamber.

Fenwick, I never saw you there in all my life: Are you sure I was by, when the money was there?

Mr. Oates, Yes, you were.

L. C. J. *Mr. Fenwick*, You shall have your time by and by to Ask him any question: *Mr. Oates* let me ask you once again; when there was the appointment made for *Grove* and *Pickering* to Kill the King, who sign'd it?

Mr. Oates, At least forty signed it.

L. C. J. Did the other three sign it?

Mr. Oates Yes, my Lord all of them.

L. C. J. Name them.

Mr. Oates, There was *Whitebread*, *Fenwick*, and *Ireland*.

L. C. J. And you say you went from place to place and saw it signed.

Mr. Oates, Yes my Lord, I did.

L. C. J. Were you attendant upon them?

Mr. Oates, My Lord I ever was since the year 1666.

L. C. J. At whose Lodging did you use to attend upon the Consultation.

M. Oates, At the Provincials chamber, Mr. *Whitebread*.

L. C. J. Where was it first signed ? Mr. Oates, at the Provincials chamber.

Sir Cr. Levings. Who carried it from Lodging to Lodging? Mr. Oates, I did.

L. C. J. When was it ? Mr. Oates, The 24th of April.

Mr. J. Bertie. You say you carried the result from place to place, pray tell us what that result was.

Mr. Oates, They knew what it was, for they read it before they signed it.

Mr. J. Atkins. But tell us the contents of it.

Mr. Oates. The contents of that Resolve was this, (He tell you the substance, though I cannot tell you exactly the words) that *Pickering* and *Grove* should go on in their attempt to *Assassinate the Person of the King*, as near as I can remember it was so, that the former should have 30000 Mases, and the latter 1500 pounds, and the whole consult did consent to it, and signed the agreement that was made with them, and did resolve upon the Kings death all in one resolve.

L. C. J. Where was this agreed upon ? at the *White-horse Tavern*?

Mr. Oates, No my Lord, after they had agreed at the *White-Horse Tavern* that Mr. C. should go procurator to *Rome*, and some other small particulars, which I cannot now remember, they did adjourn from the *White-Horse-Tavern*, and met at several Chambers some at one place, and some at another.

L. C. J. But you say *Mico* did draw up the resolution, where was that?

M. Oates, At Mr. *Whitebread*'s chamber, for he was *Socius* and Secretary to the Provincial.

L. C. J. Were *Ireland* and *Fenwick* present when *Mico* drew it up?

Mr. Oates, No my Lord, but they were at their own chambers after it was drawn there, and signed by Mr. *Whitebread*, and those of the consult in his chamber, it was carried to the several consults.

L. C. J. What all the same day. Mr. Oates, Yes, my Lord.

L. C. J. And you went along with it.

Mr. Oates, Yes my Lord I did.

Mr. Just. Bertie. I only ask you were all the five Prisoners privy to it, or do you distrust any of them, and which?

Mr. Oates. They were all privy to it.

Whitebread. My Lord, we can prove

L. C. J. You shall have time sufficient to make what defence you can, you shall be allowed to have a fair trial, and be stopt of nothing that you will think fit to say for your self.

Mr. Oates, were *Pickering* and *Grove* present?

Mr. Oates, Yes my Lord, *Grove* at *Fenwick*'s Chamber, and *Pickering* at the Provincial chamber.

L. C. J. But they were not required to sign this, were they?

Mr. Oates, after that the whole consult had signed it, and Mase was preparing to be sworn for it; before Mase they did sign and accept of it.

L. C. J. Where did they two do it?

Mr. Oates. At the Provincials chamber.

L. C. J. What day was it.

Mr. That day, for they met all together at the Provincials chamber to receive the sacrament, and when Mase was going to be said, one said it was too late, for it was after a clock, but Mr. *Whitebread* said it was not after noon till we had din'd; and you know Mr. *Whitebread*, that Mases have been said at one or two of the clock in the afternoon.

Mr. *Just. Atkins*. How many persons did meet at that Consult ?

Mr. *Oates*. My Lord, there were about forty or fifty, and after they had adjourned into several lesser Companies, they met altogether at Mr. *Whitebreads* Chamber.

L. C. J. Where was that, and when ? Mr. *Oates*. That day, at *Wild-bowse*.

L. C. J. Where was it that they gave the Sacrament ?

Mr. *Oates*. At a little Chappel at *Wild-bowse*, Mrs. *Sander's*.

L. C. J. Did they accept it before they took the Sacrament ?

Mr. *Oates*. Yes, *Pickering* and *Grove* did sign it before they took the Sacrament ?

Mr. *Just. Atkins*. You tell us of an Oath of Secresie that was taken, what was that ?

Mr. *Oates*. I cannot give an account of the form of the Oath, but it was an Obligation of Secresie.

Mr. *Just. Atkins*. Did you see the Oath administred ?

Mr. *Oates*. Yes, my Lord, I did.

L. C. J. Who administred it ?

Mr. *Oates*. Mr. *Whitebread*, he did give it unto me, and to all the rest that were there, and *Mico* held the Book, it was a Mals-book, but they were words of his own invention. I believe they were not written down.

L. C. J. Can't you tell what they were ?

Mr. *Oates*. No, my Lord, I cannot tell, because I did not see them written down.

L. C. J. If you will ask this Gentleman any thing more, you may.

Whitebread. My Lord, I am in a very weak and doubtful condition as to my health, and therefore I should be very loth to speak any thing but what is true : We are to prove a Negative, and I know 'tis much harder to prove a Negative than to assert an Affirmative ; 'tis not a very hard thing for a man to swear any thing if he will venture his Soul for it ; but truly, I may boldly say, in the sight of Almighty God, before whom I am to appear, there have not been three true words spoken by this Witness.

L. C. J. Do you hear, if you could but satisfie us, that you have no Dispensation to call God to witness a Lye---

Whitebread. My Lord, I do affirm it with all the Protestations imaginable.

L. C. J. But if you have a Religion that can give a Dispensation for Oaths, Sacraments, Protestations, and Falshoods that are in the World, how can you expect we should believe you ?

Whitebread. I know no such thing.

L. C. J. We shall see that presently, before we have done.

Mr. *Oates*. I have one thing more to say, my Lord, that comes into my mind. This *Whitebread* received power from the See of Rome to grant out Commissions to Officers military. And, my Lord, here are the Seals of the Office in Court, which he hath sealed some hundreds of Commissions with, which they call Patents.

L. C. J. What were those Commissions for ? for an Army ?

Mr. *Oates*. Yes, my Lord, for an Army.

Whitebread. When were those Commissions signed ?

Mr. *Oates*. My Lord, several of them were signed in the former Provincial time.

L. C. J. What, I warrant you, you are not Provincial of the Jesuits, are you ?

Whitebread. I cannot deny that, my Lord.

L. C. J. Then there are more than three words he hath spoken are true.

Mr. Just. Atkins. I believe, Mr. Oates, that that Army was intended for [something], pray what was it for?

Mr. Oates. My Lord, they were to rise upon the death of the King, and let the French King in upon us, and they had made it their business to prepare Ireland and Scotland for the receiving of a foreign Invasion.

L. C. Just. Who were these Commissions sealed by?

Mr. Oates. My Lord, the Commissions of the Great Officers were sealed with the Generals Seal.

L. C. Just. Who was that?

Mr. Oates. His Name is *Johannes Paulus de Oliva*; His Seal sealed the Commissions for the Generals, Major-Generals, and great Persons; but those Seals that sealed the several Commissions to several inferior Officers, were in the Custody of the Provincial.

L. Cb. Just. Can you name any one person that he hath sealed a Commission to?

Mr. Oates. I can name one: To Sir John Gage, which Commission I delivered myself.

L. Cb. Just. What, of *Suffex*?

Mr. Oates. Yes, of *Suffex*.

Mr. Justice Atkins. Who did you receive the Commission from?

Mr. Oates. My Lord, when he went over, he left a great many blank Patents to be filled up, and he left one ready sealed for a Commission to Sir John Gage. This was delivered into my hands when he was absent, but it was signed by him, and delivered to me while he was in his Visitation beyond the Seas, but I dare swear it was his hand, as I shall answer it before God and the King.

Mr. Just. Atkins. Who had it you from?

Mr. Oates. From Mr. Ashby, but by Whitebread's appointment in his instructions which I saw and read.

L. Cb. Just. What was the Commission for?

Mr. Oates. To be an Officer in the Army.

L. Cb. Just. Did you see the Instructions left for Ashby?

Mr. Oates. I did see them and read them, and I did then as I always did, give it as my judgment, that it was more safe to poison the King than to pistol or stab him.

Mr. Just. Bertue. Was the Commission which you delivered to Sir John Gage from Ashby or from Whitebread?

Mr. Oates. I had it from Ashby, but Whitebread who was then beyond Sea, had signed this Commission before he went. My Lord, I have something more yet to say, and that is as to Mr. Grove. That he did go about with one Smith to gather Peter pence, which was either to carry on the Design, or to send them to Rome. I saw the book wherein it was entred, and I heard him say that he had been gathering of it.

Grove, Where was this? Mr. Oates. In Cock-pit-Alley, where you know I lodged.

Grove, Did I ever see you at your Lodging.

Mr. Oates. You saw me at my own door.

L. Cb. Just. Why, don't you know Mr. Oates?

Grove. My Lord, I have seen him before.

Lord. Cb. Just. Why this 'tis, ask a Papist a question, and shall have a Jesuitical answer.

Mr. Oates. I will convince the Court that he does know me, by some circumstances. My Lord, in the month of December last by the Provincials order---

L. Ch. Just. I would ask him first whether he does know you or no? Do you know Mr. Oates?

Grove, I have seen him before.

L. Chief Just. Have you been often in his company? *Grove,* No my Lord.

Lord Chief Just. What do you call often? Have you been in his company seven or eight times? (for we must deal subtilly with such as you are,) have you been in his company ten times? *Grove,* No.

Lord Chief Just. What say you to three times?

Grove, Yes, I believe I have seen him twice or thrice.

Lord Chief Just. Where? Did you never see him at *Whitebreads*?

Grove, As, I hope to be saved, and before the eternal God, I did never.

Mr. Oates. I will convince him and the Court, that he does know me, and is well acquainted with me: In the month of *December* last I went to *St. Omers*, I went first to the then *Provincials* house to take my leave of him, and there I met with *Mr. Grove*, and he appointed to come to my Lodging the next morning, near the *Red Lyon* in *Drury-Lane*, at one *Griggs*'s house, and he was so well acquainted with me then, that he had lent me eight shillings to hire the Coach.

Lord Chief Just. Did you lend him eight shillings?

Grove. I did, my Lord, I do not deny it.

Lord Ch. Just. How came you to do it, when it seems, if you say true, he was a stranger to you?

Grove, I thought I should have it again.

Lord Chief Just. What, of him?

Grove, Yes.

Lord Chief Just. Did he desire you to lend him the eight shillings?

Grove, Yes, he did my Lord.

Mr. Oates, Then there is one time that he confesses he saw me.

Lord Chief Just. Did you not know him before?

Grove, I had no acquaintance with him, I had seen him,

Lord Ch. Just. How came you then to lend money to one you had no more acquaintance with?

Grove, I knew I should go along with him to the Coach, and then I thought I should have it again.

Lord Chief Just. Mr. Oates, were you going beyond Sea then?

Mr. Oates, Yes, my Lord, I was:

Lord Chief Just. Mr. Oates, did you pay him that money?

Mr. Oates, No, my Lord, I did not.

Lord Chief Just. Did you ask him for the money, and had you it?

Grove, He did not pay it me.

Lord Chief Just. How then were you sure you should have it?

Grove, He did order me to go to such a one for it?

Lord Chief Just. Who was that?

Grove, Mr. Fenwick, I think.

Lord Ch. Just. Then Mr. Oates was known to you all, he was no such stranger to you as you would make us believe.

Mr. Oates. Thus he confesses three times he had seen me, once before he lent me the money, another time when he lent it, and the third time the next day. And I will put him in mind of another time when he and I were in company, where one brought us a

Note

*Note of what was done in the House of Commons turned into Burlesque, for they used to turn all that was done at the Council, or at the Parliament, or at the Courts in *Westminster-Hall* into Burlesque, and then translated it in *French*, and sent it to the *French King*, for him to laugh at too. But that by the way; twice more he drank in my company at the *Red Posts* in *Wild-street*, and once more when he owned to me that he fired *Southwark*.

Lord Chief Just. Now by the Oath that you have taken, did he own to you that he had fired *Southwark*?

Mr. Oates. My Lord, he did tell me that he with three *Irishmen* did fire *Southwark*, and that they had a Thousand pounds given them for it, whereof he had four thousand pounds, and the other two hundred pounds a piece.

Lord Chief Just. Now for *Mr. Fenwick*, do you know *Mr. Ostr.*

Fenwick. Yes, my Lord, I do.

Lord Chief Just. Were you well acquainted with him? speak plain.

Mr. Oates. He was my Father Confessor, my Lord,

Lord Chief Just. Was he so? were you his Confessor.

Fenwick. I believe he never made any Confession in his life.

L. Ch. Just. Yes, he hath made a very good one now. Were you of his Acquaintance *Mr. Fenwick*? speak home, and don't mince the matter.

Fenwick. My Lord, I have seen him.

Lord Ch. J. I wonder what you are made of: Ask a Protestant, an *English* one, a plain Question, and he will scorn to come dallying with an evasive answer.

Fenw. My Lord, I have been several times in his company.

Lord Chief Just. Did you pay eight shillings for him?

Fenwick. Yes, I believe I did.

L. C. J. How came you to do it?

Fenw. He was going to *St. Omers*.

L. C. J. Why, were you Treasurer for the Society?

Fenw. No, my Lord, I was not.

L. C. J. You never had your eight shillings again, had you?

Fenw. It is upon my Book, my Lord, if I ever had it.

L. C. J. Did *Mr. Oates* ever pay it again? *Fenw.* No, sure he was never so honest.

L. C. J. Who had you it of then?

Fenw. I am certain I had it not from him; he did not pay it.

L. C. J. How can you tell you had it then?

Fenw. I do suppose I had it again, but not of *Mr. Oates*.

L. C. J. Had you it of *Ireland*?

Fenw. I do not know who I had it of, my Lord, nor certainly whether I had it.

L. C. J. Why did you not ask *Mr. Oates* for it? *Fenw.* He was not able to pay.

L. C. J. Why did you then lay it down for him? *Fenw.* Because I was a Fool.

L. C. J. That must be the conclusion always: when you can't evade being proved Knaves by answering directly, you will rather suffer your selves to be called Fools.

Fenw. My Lord, I have done more for him than that comes to; for he came once to me in a miserable poor condition, and said, I must turn again and betake my self to the Ministry to get Bread, for I have eaten nothing these two days: And I then gave him five shillings to relieve his present necessity.

Mr. Oates. My Lord, I will answer to that, I was never in any such streights, I ordered

ordered by the Provincial to be taken care of by the Procurator;

Fenw. You brought no such order to me.

Mr. Oates. Yes, *Mr. Fenwick*, you know there was such an Order, and I never received so little in my life as five shillings from you: I have received 20 and 30 and 40 shillings at a time, but never so little as five.

L. C. J. You are more charitable than you thought for.

Fenw. He told me he had not eaten a bit in two days.

Mr. Oates. I have indeed gone a whole day without eating, when I have been hurried about your Trash; but I assure you, my Lord, I never wanted for any thing among them.

L. C. Just. Perhaps it was Fasting-day.

L. Ch. Baron. My Lord, their Fasting-days are none of the worst.

Mr. Oates. No, we commonly eat best on those days.

L. C. J. Have you any thing to ask him any of you?

Whitebread. My Lord, will you be pleased to give me leave to speak for my self.

Mr. Just. Atkins. It is not your time yet to make your full Defence, but if you will ask him any Questions you may.

Whitebread. I crave your mercy, my Lord.

L. G. J. Will you ask him any Questions?

Fenw. Did not you say that you were at my Chamber the 24th of April with the Resolve of the Consult?

Mr. Oates. That Resolve I did then carry to your Chamber.

Fenw. Then was he himself at St. Omers.

L. C. J. The difference of *old stile* and *new stile* may perhaps make some alteration in the circumstance.

Whitebread. But, my Lord, he hath sworn he was present at several Consultations in April and May, but from November till June he was constantly at St. Omers.

L. C. J. If you can make it out that he was at St. Omers all April and May, then what he hath said cannot be true.

Ireland. He himself hath confessed that he was at St. Omers:

L. C. J. If you mean by Confession, what stands upon the Evidence he hath given, I'll remember you what that was. He says he came to St. Omers.

Mr. Oates. Will your Lordship give me leave to satisfy the Court: In the month of December or November, I went to St. Omers; I remained there all January, February, March, and some part of April: Then I came over with the Father to the Consult that was appointed the 24th of that month.

Fenw. Did you go back again? *Mr. Oates.* Yes.

Fenw. When was that?

Mr. Oates. In the month of May, presently after the Consult was over.

Fenw. And we can prove by abundance of Witnesses that he went not from St. Omers all that month.

L. C. J. You shall have what time you will to prove what you can; and if you can prove what you say, you were best fix it upon him; for he saith he was here at the Consults in April and May; if you can prove otherwise pray do.

Fenw. We can bring an Authentick Writing (if there be any such) from St. Omers under the Seal of the Colledge, and testified by all the Colledge, that he was there all the while.

Lord

L. C. J. *Mr. Fenwick* that will not do; for the first, if it were in any other case besides this, it would be no evidence, but I know not what you cannot get from *St. Omers*, or what you will not call Authentick.

Fenwick Does your Lordship think there is no Justice out of *England*?

L. C. J. It is not, nor cannot be Evidence here.

Fenwick, It shall be signed by the Magistrates of the Town.

L. C. J. What there?

Fenwick. Yes there.

L. C. J. You must be tryed by the Laws of *England*, which sends no piece of Fact out of the country to be tryed.

Fenwick But the evidence of it may be brought hither.

L. C. J. Then you should have brought it, you shall have a fair Tryal; but we must not depart from the Law or the way of Tryal, to serve your purposes. You must be tryed according to the Law of the Land.

Mr. J. Atkins, Such evidences as you speak of, we would not allow against you; and therefore we must not allow it for you.

Whitebread, May this Gentleman be put to this, to produce any two Witnesses that see him in town at that time.

Mr. Oates I will give some circumstances and what Tokens I have to prove my being here: *Father Warner*, *Sir Tho: Preston*, *Father Williams*, and *Sir John Warner*, they came hither with me from *St Omers*, there was one *Nevil, &c.* I cannot reckon them all.

L. C. J. You have named enough.

Mr. Oates, But to convince them, there was a Lad in the house that was got to the end of his Rhetoricks; this Lad was whipt and turned out of the house, and had lost all his money *Father Williams* did reimburse this Lad in order to his bringing home, I think the Lads name was *Halsey*, or some such name. And we came up to *London* together.

L. C. J. What say you to this circumstance?

Whitebread, My Lord, he knew that two such came to Town, but he was not with them.

L. C. J. You are now very good at a negative I see, how can you tell that?

Whitebread, My Lord, he could not come.

L. C. J. How can you tell he could not come,

Whitebread, I can tell it very well, for he had no order to come nor did come.

L. C. J. How can you undertake to say that he did not com?

Whitebread, Because he had no order to come.

L. C. J. Is that all your reason, where were you then?

Whitebread, I was here.

L. C. J. How do you know he was not here.

Whitebread, He had no orders to come.

L. C. J. Have you any other circumstance *Mr. Oates* to prove that you were here then?

Mr. Oates, My Lord, when I came to *London*, I was ordered to keep very close, and I lay at *Mr. Groves* House, let him deny it if he can, I'll tell you who lay there then.

Groves. Did you ever ye at my house.

Mr. Oates, There lay a Flaxen Hair'd Gentlemen, I forgot his name, but I'll tell you who lay there besides; that is *Strange*, that was the late Provincial.

L. C. J. Did *Strange* ever lye at your house?

Groves Yes, my Lord he did

L. C. J. Did he lye there in *April* or *May*?

Grove, No, he did not in either of them.

Mr. C. J. You will make that appear.

Grove, Yes, that I can by all the House.

L. C. J.

L. C. J. Have you any more questions to ask him? If you have, doe If you can prove this upon him, that he was absent, and not in *England* in *April* or *May*, you have made a great defence for your selfe, and it shall be remembred for your advantage, when it comes to your turn: In the meantime, if you have no more to say to him, call another Witness. Let *Mr. Oates* sit down again, and have some refreshment.

Mr. Serjant Baldwin, We will now call *Mr. Bedlow*, my Lord.

Then Mr. Bedlow was sworn.

Mr. Serj: Baldwin, *Mr. Bedlow*, pray doe you tell my Lord and the Jury what you know of any design of killing the King, and by whom.

Mr. Bedlow, My Lord, I have been five years almost employed by the Society of Jesuits and the English Monks in *Paris*, to carry and bring letters between them from *England* and to *England*, for the promoting of a design tending to the subversion of the Government and the Extirpating of the Protestant Religion, to that degree (which was always concluded on, in all their Consults wherein I was,) that they would not leave any member of any Heretick in *England*, that should Survive to tell in the Kingdom hereafter that there ever was any such religion in *Englands* as the Protestant Religion——

Here Whitebread would have interrupted him.

My Lord I am so well satisfied in their denyalls, that I cannot but believe they who can give a dispensation and have received the sacrament to kill a King, and destroy a whole Kingdom, doe not scruple to give a dispensation for a little lye, to promote such a design, for so much as this Expiates any lye or greater Crime,

Sir Cr. Leviner, Pray Sir will you be pleased, to tell your whole knowledge concerning the Prisoners at the Bar,

Mr. Bedlow, The first letter I carried was from *Mr. Harcourt*, at his house next door to the Arch in *Dukes-street*. He hath been Procurator for the Jesuits about 6. years. He employed me first and sent for me over, for I was then Lieutenant in *Flanders*, and coming home to receive my pay that was due to me—

L. C. J. How long is it agoe?

Mr. Bedlow, *Michielmas* last was 4. years, when I came to *Dunkirke*, I went to visit the *English Nunnery* there, & the Lady Abbess finding me very plyable & inclineable, made very much of me, and I did adhere to her: she kept me 6. weekes in the convent, & afterwards when I went away recommended me to *Sir John Warner* as an instrument fit to be employed in the carrying of letters, or doing any thing that would promote the design against *England*. He kept me at *S. Omers* a fortnight, and after sent me to *Father Harcourt* to be instructed in my employment. It was then winter, the next spring he sends me into *England* with divers letters, whereby *Mr. Harcourt* I was employed to carry several letters to *Morton* and *Doway*, and other places, that summer I was sent into *England* without an answer, but afterwards in (76) which was the next summer I was to carry another Pacquet of letters to the Monks at *Paris*, who sent it to other *English Monks* in *France*.

L. C. J. Who sent that packet of letters in 76?

Mr. Bedlow, I had it from *Mr. Harcourt*, and it was written by *Harcourt*, *Pritchard* & *Carry*.

L. C. J. To whom?

Mr. Bedlow, To the *English Monks* in *France*, and in it there was a letter to *le Chefe*. Upon the receipt of the letters at *Paris* *le Ch se* had a consultation with the Monks, a *French Bishop* or two about them, I did not then speak *French* enough to understand what it was they said, but it was interpreted to me by *Mr. Stapleton* an *English Monk*, who

told me that it was a letter from my Lord *Bellasis* and others of the Catholick Religion, *English* Gentlemen who were contrivers of the Plot here, to satisfie them in what state things stood in *England* as to Popery. I was sent back again with a pacquett of letters directed to Mr. *Vaughan* of *Courfield* in *Monmouthshire*.

L. C. J. From whom was that?

Mr. *Bedlow*, From the *English* Monks at *Paris*. From that consultation I went to *Paris*. I there received other letters to carry into *England*. I had a course to open their letters, and read what was in them; and in those letters was contained, That the Prayers of that house were for the prosperity of that design, and they would not fail to be at the consultation at *Warwickshire* Gentlemen. I fell sick at *Monmouth*, and Mr. *Vaughan* sent to me a *Jesuit* to confess me, but I was well before he came, and so was not confessed by him, I now come to the later times.

L. C. J. You must speak it over to the Jury, that they and the prisoners may hear you.

Mr. *Bedlow*, The 25th. of May 77. which was last year, I was sent over with an other Pacquet of Letters, I had no letters of consequence forward, and therefore did not call then at *Wotton*, but I called upon the Lady *Albessé* at *Dunkirk*, and I went thence to *Bridges* and to *Ghent*, where I had some letters for the *English* Nuns, which I delivered to them. When I came to *Doway*, I found there that the Monks were gone, that was *Sheldon*, *Stapleton* and *Latham*, but the letters were directed to *Paris*, and therefore I made hast, and at *Cambray* I overtook them. And the letters were to give an account of the consultation held in the Gallery at *Sommerfet-house*: all tending to the destruction of the Protestant Religion, and killing the King, but I doe not think fit to declare here who were the persons that were present at that consultation. At *Cambray* they were very joyful that there was so good a proceeding in *England*. At *Paris* when the letters were shewed, there was a letter written in a language which I did not understand, but, as I was told in that letter, they were charged in *Paris* by my Lord *Bellasis*, that they did not proceed according to their promise to them in *England*; But said Mr. *Stapleton* to me, my Lord *Bellasis* nor the society in *England* need not to write thus to us, for We are not so backward but we can lend men, and money, and Armes too, and will upon occasion. From thence they sent me to *Spain* with a letter to an Irish Father: I did overtake him at *Sa Mora*. From thence I went with another letter to the Rector of a Colledge of Irish *Jesuits* in *Salamanca*, by their contrivance I was sent to *St. Jago* in *Spain*, where was another Colledge of Irish *Jesuits*: There I staid till I had an answer to Sir *Willi: Godolphin*, and when I had the answer to that Letter, I went for the letter from the Rector at *Salamanca*, the *Jesuits* there told me, they would take care to send their own answer another way. And when they had made me that promise I came away for *England*, and landed at *Millford-haven*. All this reaches to none of these persons in particular. But what I now shall say shall be about them, only it was necessary, I should speak of what I have said,

L. C. J. The meaning of all this is only to shew the Jury and satisfie them, that he was an Agent for these men, and hath been employed by them for five years together, and he names you the particular places whither he hath been sent, to shew you the reasons of his knowledge in this matter, and upon what account he comes to be informed of this design.

Mr. *Bedlow*. Having received the Newes of that country, I did there take water and landed againe at *Pemans*, and when I came to *London* I gave the Letter to Mr. *Harcourt*: What was in that Pacquet I cannot particularly tell, for I was not so inquisitive as to look into the contents of it, but I know it was tending as all the rest did to the carrying on

of this Plot, Afterwards I was employed by Mr. *Harcourt* and Mr. *Coleman* to go to some parts of *England*, to communicate the letters to some of the popish party.

L. C. J. Now turn to the Jury.

Mr. Bedlow. The Summer was past in the doing of that; in the beginning of *August* last, there was a Consultation, and a close one, at Mr. *Harcourts* Chamber, so as that they did not permit me to know any thing of it, I went out of Town for a fortnight, and when I returned, I understood there had been such a meeting, I charged them with their Privacy in it, and asked what was the private design of that Consultation, they said, it was something I should know in time: That it did not signify much at present, but in time I should know it. But then I understood by *Pritchard*, who was more my Confident, than any of the rest: That it was a design to kill the King: That Mr. *Pickering* and *Grove* had undertaken it a great while, and that they had been endeavouring a long while to bring it to pass.

Fenwick. Where was this meeting, and when?

Mr. Bedlow. Last *August* at *Harcourts* Chamber.

Fenwick. Who were present there?

Mr. Bedl. Be pleased to give me leave to go on, I'll tell you by and by. Then I understood, as I said, That it was to kill the King, but that *Pickering* and *Grove* failing of it, they had hired four Russians, that were to go to *Windsor*, and to do it there, and that if I would come the next day, I should hear from Mr. *Coleman* the Effect. When I came there I found Mr. *Coleman* was gone, but *Pritchard* said there were some sent to *Windsor*, and that *Coleman* was going after them, and that he had given a messenger a Guinny that was to carry the money to them; and he would presently be after them, for fear they should want opportunity to effect their Design. Then I discoursed them, why they kept their Design so long hid from me? They said it was a Resolve of the Society, and an Order of my Lord *Bellasis* that none should know it but the Society, and those that were actors in it. I seemed satisfied with that answer at present. About the latter end of *August* or the beginning of *September* (but I believe, it was the latter end of *August*) I came to *Harcourts* Chamber, and there was *Ireland*, and *Pritchard*, & *Pickering* and *Grove*.

L. C. J. What part of *August* was it?

Mr. Bedlow. The latter end.

L. C. J. Do you say it positively, that it was the latter end of *August*?

Mr. Bedlow. My Lord, it was in *August*, I do not swear positively to a day.

L. C. J. But you say, it was in *August*. *Ireland.* And that we were there present?

Mr. Bedlow. You were there and Mr. *Grove* and Mr. *Pickering*.

Ireland. Did you ever see me before?

Mr. Bedlow. You were there present there, and *Grove*, & *Pickering*, and *Pritchard*, and *Partby*, and *Harcourt*, and I.

L. C. J. What did you talk of there?

Mr. Bedl. That the Russians missing of killing the King at *Windsor*, *Pickering* and *Grove* should go on, and that *Conyers* should be joyned with them; and that was to assassinate the King in his morning walks at *Newmarket*: and they had taken it so strongly upon them, that they were very eager upon it: And Mr. *Grove* was more forward than the others, and said, since it could not be done clandestinely, it should be attempted openly. That those that do fall had the glory to die in a good cause. But (said he) if it be discovered, the Discovery can never come to that height, but their party would be strong enough to bring it to pass,

L. C. J. And you swear, *Ireland* was there?

Mr. *Bedlow*. He was there my Lord.

L. C. J. And heard all this?

Mr. *Bedlow*. Yes, my Lord; and so did *Grove* and *Pickering* and the rest.

Ireland. My Lord I never saw him before in my life.

L. C. J. What was the Reward that you were to have, for your pains in this business?

Mr. *Bedlow*. My Lord, the Reward that I was to have, (as it it was told me by *Harcourt*) was very considerable: I belonged to one particular part of the Society. There are others, and I presume, they each kept their particular messenger.

L. C. J. What was Mr. *Grove* to have?

Mr. *Bedlow*. *Grove* was to have fifteen hundred pound if he escaped, and to be a continual Favourite, and respected as a great person by all the Church.

L. C. J. What was *Pickering* to have?

Mr. *Bedlow*. He was to have so many Masses, I cannot presume to tell the number but they were to be as many as at twelve pence a Mass should come to that money: These Masses were to be communicated to all the Jesuits beyond the Seas, that when he had done it he might be sent away immediately.

L. C. J. What can you say of any of the rest?

Mr. *Bedlow*. My Lord, I do not charge any more, but them three?

L. C. J. What say you to *Whitebread*?

Mr. *Bedlow*. They have said that he was very active in the Plot, but I know it not.

L. C. J. That is not any Evidence against him. What can you say as to *Fenwick*?

Mr. *Bedlow*, No more than I have said, as to Mr. *Whitebread*: I only know him by sight.

L. C. J. Then he charges only these three upon Oath, *Ireland*, *Pickering* and *Grove*. *Ireland*, Do you know Sir *John Warner*?

Mr. *Bedlow*. I know. Father *Warner* at St. Omers, and Sir *John Warner* at Wotton St. Omers.

Ireland. He named Sir *John Warner* to be at Paris.

Mr. *Bedlow*. It was *Sheldon* I spoke of (my Lord) at Paris.

Ireland. At least you are certain that I was present at that Consultation.

Mr. *Bedlow*. Yes, I am certain you were there.

Ireland. Can you produce any Witness that you ever spoke to me before in your life.

Mr. *Serj. Baldwin*. Do you know any thing of Mr. *Whitebread* being present at any of the Consults?

Mr. *Bedlow*. I do know that Mr. *Whitebread* and Mr. *Fenwick* both have been several times at Consultations; but I do not know what the particular Resolves of the Consultations were.

L. C. J. Did you ever hear them speak any thing in particular?

Mr. *Bedlow*. No, I have never heard them speak any thing in particular.

L. C. J. Where have you seen Mr. *Fenwick*?

Mr. *Bedlow*. I have seen Mr. *Fenwick* at Mr. *Harcourt's* Chamber, and I have heard him talk of, and it hath been told me, that nothing was done without Mr. *Fenwick*.

Whitebread. Are you sure you know us ?

Mr. Bedlow. I do not say, you are the man that employed me, you are the man I was least acquainted with, of all the Society, but I have seen you there.

Ireland. Can you bring any one that can testify it ?

L. C. J. He must then have brought one of your selves, and it may be, he cannot produce any such one.

Ireland. Nor no one else, except such a *Knight of the Post* as *Mr. Oster*.

L. C. J. You must be corrected for that *Mr. Ireland* : you shall not here come to abuse the Kings Evidence. Nothing appears to us that reflects upon *Mr. Oster's* Testimony ; and we must not suffer any such sort of Language.

Mr. Just. Atkins. Take of his Credit as much as you can by proof, but you must not abuse him by ill language.

Mr. Finch. Can you tell the *Court* and the *Jury* when it was that by agreement *Grove* should have the fifteen hundred pound ?

Mr. Bedlow. He was to have it put into a Friends hands.

L. C. J. Do you know that Friends name ? *Mr. Bedlow.* No, my Lord, I do not.

Mr. Finch. Do you know when that was to be delivered out to him ?

Mr. Bedlow. As to the particular time of their agreement, I do not know it.

Mr. Finch. But this he says, That when the agreement was made, he was to have fifteen hundred pounds.

L. C. J. And he says this *Ireland* was in *August* last with *Pickering*, and *Grove*, and others, at a Consult where he was also,

Ireland. But what if I prove, I was not in *London* all *August* last, from the beginning to the end ?

L. C. J. You heard them talk of this matter in *August* at *Harcourts* Chamber, you say ; What, did they talk of it, as a matter they had agreed ?

Mr. Bedlow. My Lord, they brought it in, as being balked in their design of killing the King at *Windfor* ; and because that had not taken the effect they intended it, they should have *Conyers* joyned with them to do it at *Newmarket*.

Mr. Finch. Did they tell you when, and where the agreement was made ?

L. C. J. No, he speaks not of that ; but they talk of the failure at *Windfor* : And therefore they did conclude that *Conyers* should be joyned to them to do it at *Newmarket*.

Mr. Bedlow. Yes, my Lord.

L. C. J. Have you any more to say ?

Mr. Bedlow. My Lord, I would only say this ; If I had any to prove what I say, they must be parties as well as these persons.

Ireland. My Lord, I will prove, that I was not in *Town* in *August* all the month, by twenty Witnesses : I'll bring those that saw me in *Staffordshire*, and spoke with me all *August*.

L. C. J. Have you any more to ask him ? *Whitebread.* No.

Mr. Serj. Baldwin. Swear *Mr. James Bedlow*. And he was sworn.

Ireland. He does say, That he was familiar with me, and several other persons here ; and therefore I desire he may specify the Place and the Company.

Mr. William Bedlow. I do not say, there was a Familiarity ; for I was a Stranger to that part of the Society.

L.

L. C. J. You must take him right *Mr. Ireland*; he hath not said that he was of your Familiar acquaintance.

Mr. Bedlow. I have seen you often Sir.

Mr. Ireland. Where? *Mr. Bedlow.* At Monsieur Le Fairs.

Ireland. Where was that, *Mr. Bedlow*? At *Somerſet-houſe*.

Ireland. Was there any one preſent beſides.

Mr. Bedlow. Yes, ſeveral other Priests and Jeſuites of *Somerſet-houſe*.

Ireland. Name one? *Mr. Bedlow.* Seignior *Perrare*.

Ireland. You ſay, you ſaw me and *Perrare* together at *Somerſet-houſe*. I ſuppoſe, if Seignior *Perrare* may be brought hither.--

Mr. Bedlow. My Lord *Perrare* is a Priest in Orders, and without Doubt, is in this buſineſs.

L. C. J. If he did ſee you, he muſt ſee you in ſuch company as you keep, they were Priests and Jeſuits, and of your own Religion; and we know very well what Answers we are like to be put off with by men of your own Perſwaſion at this time of day.

Ireland. my Lord if no bodyes Oath can be taken that is of another Perſwaſion than the Church of England, it is hard.

L. C. J. Pray mind, you do not object ingeniouſly; for you ſay, this witneſs ſwears he ſaw me in ſuch company, why does he not produce them to teſtifie it? why, he does not come prepared to produce them; if he ſhould, we know well how you are concern'd one for another at this time; and we can hardly expect they ſhould make true Answer. But notwithstanding if you will produce this Father *Perrare*, (he cannot be ſworn becauſe t's againſt the law, but) his Teſtimony ſhall be heard, & let it go as far as it can.

Mr. Bedlow. If your Lordſhip pleaſes, my Lord, I would convince him that he does know me. Have you not been, Sir, at *Somerſet-Houſe*.

Ireland. Yes, I have.

Mr. Bedlow. Do you know *Le-Fair* and *Perrare*?

Ireland. Yes, but I never ſaw you in their company in *Somerſet houſe* in my life, above once or twice.

Mr. Bedlow. Yes you were twice at *Le Fairs*.

L. C. J. Where is that *Le Fair*, you would do well to produce him?

Mr. Bedlow. my Lord, he is gone away, and is one againſt whom the Kings proclamation is out.

L. C. J. You keep ſuch company as run away, and then you require him to produce them, whom the King's Proclamation cannot bring in.

Ireland. I keep none but honeſt company.

Mr. Bedlow. If your Lordſhip pleaſes, I have one thing more that is very material to ſpeak, at the ſame time that there was a diſcourſe about theſe three Gentlemen's being to deſtroy the King at *Newmarket*, at the ſame time there was a diſcourſe of a deſigne to kill ſeveral Noble perſons, the particular parts aſſigned to every one. *Knight* was to kill the Earl of *Shaſtesbury*, *Fritchard*, the Duke of *Buckingham*, *Oneile*, the Earl *Oſſery*, *O Bryan*, the Duke of *Ormond*.

L. C. J. Well, will you have any more of this?

Mr. Finch. You ſay, you ſaw *Mr. Ireland* ſay *Maſſe*, where did you ſee him?

Mr. Bedlow. Not *Mr. Ireland*, but *Mr. Fenwick*, I have ſeen him ſay *Maſſe*; and at *Wild-Houſe*.

Mr. Oates. My Lord I did omit a Conſult wherein there was a deſign laid of taking away the Duke of *Ormond's* life, and of a Rebellion that was to be raiſed in *Ireland*.

My

My Lord, in the month of *January* last, there came letters from Arch-Bishop *Talbot* to *London*, which letters were perused by *Fenwick* and *Ireland*, and *Whitebread*, and when they were perused, they were sent and Communicated to the Fathers at *St. Omers*. The contents of those letters were thus, That the Catholics had a fair prospect of effecting their design in the Kingdom of *Ireland*. And this letter was inclosed in a letter signed by *Whitebread*, *Ireland*, *Fenwick*, and others (I name no mans name that is not here.)

L. C. Just. You saw the Letter.

Mr. Oates. Yes, I did see it, and read it; wherein they did give thanks unto God, that he was pleased to prosper their design so fairly in *Ireland*, and withall they did say, that they would not leave a stone unturned, to root out that abominable Heresie out of that Kingdom. Now what that abominable Heresie was, I have nothing bur a conjecture.

L. C. Just. We all know what that is well enough, there needs no proof of that.

Mr. Oates. In the month of *August*, *Fenwick*, a little before he went to *St. Omers*, on the one and Twentieth of *August*, (as I think it was) that week that *Barblosomew* fair begun on) as I take it, he was then going to fetch home the Provincial, and to carry some Students with him, and he went unto *St. Omers* the Monday following; but then there was a Consult, and at that Consult, *Fenwick* did consent to the contrivance of the death of the Duke of *Ormond*, and for the Rebellion that was to be raised in *Ireland* after his Death. And he did approve of the four *Jesuits* that were to kill my Lord of *Ormond*, and did consent to send *Fagarthy* down to the Arch-Bishop of *Dublin*, in case the four good Fathers did not hit the business, *Mr. Whitebread* my Lord did consent when he came over as appears by their entry Books, for there came a Letter from him Dated as from *St. Omers*, but I concluded it did not come from thence because it paid but two pence.

Whitebread, Who was it that writ that Letter.

Mr. Oates. My Lord this letter was Dated as the later part of *August*, and Dated as from *St. Omers*, but the Post mark upon it was but two pence, to be paid for it, so that I do conclude thence, *Mr. Whitebread*, was then at *Esq; Leigh's* House in But in that letter he did like the proposal that was made about killing the Duke of *Ormond*, in that Consult, and the letter was Signed with his own Hand.

L. C. Just. I would gladly see that Letter?

Mr. Oates. If I could see it, I could know it.

L. C. J. You have not that letter?

Mr. Oates. No, but they kept a book wherein they Registered all their Resolutions, and in that it was entred.

L. J. C. You upon your Oath say, That he as superior of them did keep a Book wherein they Registered all their Consults.

Mr. Oates. Yes, my Lord.

L. C. Just. You would do well to shew us your Book, *Mr. Whitebread*.

Whitebread. We never kept any.

Mr. Oates. The Consult did, for though the Superior have an absolute power over the subjects; yet they never do any thing of consequence without the Consult. And this Book was kept by the superior, and never opened but at the Consult and therein all the passages were Registered.

L. C. J. Produce your Book, and we shall see whether you cannot catch *Mr. Oates* in anything or other.

Mr. Bedlow. My Lord, that Book I have seen, and therein all their Consults are registered.

C. J. Was there Books kept by them

Mr. *Bedlow*. Yes, my Lord, All the Consults did keep Bookes, and Mr. *Langborne*, was the person that Registered all into one.

L. C. J. If an hundred witnesses swore it, they will deny it, well, will you have any more?

Mr. *S. Baldwin*. My Lord we will now call Mr. *James Bedlow*, this Gentlemans Brother to shew you, that these sort of Persons did resort to him frequently.

L. C. J. Are you sworn Sir?

Mr. *James Bedlow*. Yes my Lord, I am.

L. C. J. Then let me ask you one short Question. Do you know Mr. *Ireland*?

Mr. *James Bedlow*. No.

L. C. J. Do you know *Pickering* or *Grove*.

Mr. *James Bedlow*. I have heard of them.

L. C. J. Did your Brother know any thing of them?

Mr. *J. Bedlow*. As for the Conspiracy of killing the King, I know nothing of it; but about his knowledg of Priests and J. suits, and the Converse he had beyond sea, that I can speak to. And I have very often heard these mens names named.

L. C. J. In what nature did he talk of them?

Mr. *J. Bedlow*. I know nothing of the Plot, and as for any design, I know not what my Brother knew, but I have heard him talk of them.

L. C. J. How did he talk of them?

Mr. *J. Bedlow*. He mentioned them as his Acquaintance, the Jesuits there did ask him Questions about them.

L. C. J. And did it appear to you they were of his Acquaintance.

Mr. *J. Bedlow*. But I understood nothing of the Plot or Design, by the Oath I have taken.

L. C. J. But did he speak as if he knew any of them?

Mr. *J. Bedlow*. For any certain knowledg that my Brother had of them I cannot speak; but I have often heard him talk of them as people, I thought he knew.

Mr. *Finch*. Did you know, that when he came over from beyond sea, that his lodgings was frequented by any and by whom? Mr. *J. Bedlow*. Yes, there were many Priests and Jesuits came to him.

Mr. *Finch*. Did your Brother receive any money from them?

Mr. *J. Bedlow*. Yes my Lord, I have fetcht many score of pounds for my Brother from them.

L. C. J. The use, Gentlemen, that the Kings council make of this evidence, is only to shew, that his Brother Mr. *Bedlow* was conversant in their affairs, in that he hath received many a score of pounds in the managing of their business.

Sir *Cr. Levings*, Pray, from whom had your Brother that money?

Mr. *J. Bedlow*. I have proved that from the Goldsmiths themselves that paid it, before the Duke of Monmouth, my Lord Chancellor, and Lord Treasurer.

Mr. *Finch*. Have you received any considerable sum at a time? Mr. *Bedlow*. Yes I have.

Mr. *Finch*. How much?

Mr. *J. Bedlow*. fifty or threescore pounds at a time.

Mr. *Finch*. Of whom?

Mr. *J. Bedlow*. Of Priests and J. suits.

Mr. *Finch*. For whom?

Mr. *J. Bedlow*. For my Brother.

L. C. J. Will you have any more Evidence?

Mr. *Serj. Baldwin*. Yes; my Lord, the next evidence we produce, is concerning a letter

there was a letter written by one Mr. *Peters*, that is now a prisoner, to one *Tonstall* a Jesuit, and this letter does mention, That there was a meeting appointed by order of Mr. *Whitebread* to be at *London*,

L. C. J. What is that to them, and how came you by it?

Mr. Serj. Baldwin. *Peters* is now in Prison for things of this nature; and you have heard of one *Harcourt*, and out of his Study this Letter was taken.

Mr. W. Bedlow. My Lord, may I not have liberty to withdraw, my head akes so extremely, I cannot endure it.

L. C. J. *Mr. Bedlow*, you may sit down, but we can't part with you yet.

Ireland. I desire, my Lord, that his Brother may be asked, how long he had known me.

L. C. J. Can you recollect by the discourses you have heard, how long he might have known *Ireland*?

Mr. J. Bedlow. No, my Lord, it was out of my way.

L. C. J. But he did talk of *Ireland*?

Mr. J. Bedlow. Yes, my Lord, he did.

Ireland. As being where, in what place?

Mr. J. Bedlow. I cannot tell.

Ireland. He named one place three years ago, it was at *Paris*.

L. C. J. But he does not say that you were there, but that you were familiarly talk'd of there; so that the meaning is, they were acquainted with you: and this is only brought to shew, that it is not a new-taken-up thing by *Mr. Bedlow*, though you seem'd never to have known any such man; yet he swears, saith he, I have heard such persons talk of as my Brothers acquaintance.

Ireland. If his Brother had talkt of me three years ago, why then he must have known me three years ago.

L. C. J. Ple ask him that question: How long is it since you knew him?

Mr. W. Bedl. I have known him but since *August* this last Summer; but my Lord, I talkt five, and four years ago, of several *English* Monks and Jesuits that were then at *Rome*, that I never knew in my life.

L. C. J. His answer then is this, saith his Brother, I have heard him talk of them three years ago; I then asked *Bedlow* how long he had known them? saith he, I did not know them three years ago, though I did talk of them three years ago; for we have talkt of many that we never saw in our lives; so it seems he had occasion to make use of your names frequently, and joyn them with these, of some he knew better; But he never knew you till *August* last; but he did discourse of you three years ago, as known for such sort of persons.

Ireland. He must hear some body speak of us, as being in some place or another.

Mr. W. Bedlow. I will satisfie you in that, we talk of some now in *England*, that are to be sent a year hence.

L. C. J. If you can produce but *Harcourt* and *le Faire*, they will do you great service now.

Mr. W. Bedlow. My Lord, as for example, Father *Pritchard* is Confessor to such a Gentleman in *England* now this year; a year hence we must send such a one hither, and he must go back. And we may talk of that person as in *England* two years before.

L. C. J. You need not trouble your selves about that. *Mr. Ireland*, you shall have a fair Tryal, but you will not have cunning or art enough to deceive the Jury, nor will *Mr. Whitebread* have learning enough to baffle the Court.

Then Mr. W. Bedlow and his Brother withdrew.

Mr. Serj. Baldwyn. My Lord, the next Evidence that we shall give, as I said, is a Letter from one *Peters* to one *Tonstall*, and this we will bring home to *Mr. Whitebread*; for it is an invitation to be at the Consult held in *London* the 24th of *April*; and it was written about that very time, to wit, the 3d of *April*. It was written from *London*, and it mentions, that *Mr. Whitebread* did fix the meeting at that time. We'll tell you how we came by the Letter, *Mr. Harcourt*, who is one of the principal persons here, and at whose House was the meeting you heard of, he himself is fled away, when they came to look after him upon the discovery that was made: And *Mr. Bradley* who was the messenger to seize upon him, did according to direction search his Study, and did there find this Letter, which we conceive, my Lord, to be very good Evidence, this *Harcourt* being a party, and one at whose house the last meeting was, and others was. We do conceive a Letter from one of that party, bearing date about the same time, concerning *Mr. Whitebread's* Summons, who was Master of the Company, is a very good Evidence against them.

L. C. J. If you had found it in *Mr. Whitebread's* custody, you say something.

Mr. Just. Bertue. My Brother puts it so: We find a Letter directed to *Mr. Whitebread*, let the matter of it be what it will, it is found among *Harcourt's* papers.

Mr. Serj. Baldwin. No, my Lord, we find a letter from one *Mr. Peters*, now a prisoner, directed to *Mr. Tonstall* concerning the Consult summoned by *Whitebread*, and this we find in *Harcourt's* possession.

L. C. J. I can't understand how this may affect *Mr. Whitebread*.

Mr. Finch. Pray, my Lord, if your Lordship please, this is the use we make of this Letter; we do not produce it as another Evidence of this Design, but to fortify that part of the Evidence which hath already been given; That there was a Consult summoned at that time, and to be held with all the privacy that could be, to prevent discovery. And this is the Paper, that we find in the custody of *Harcourt*, one of the Conspirators, who is fled for it.

L. C. J. Look you, *Mr. Finch*, if you use it not against any particular person, but as an Evidence in general, that there was a Plot amongst them, you say right enough; but it cannot be Evidence against any one particular person of the prisoners at the Bar.

Mr. Finch. My Lord, it can affect no particular person; but we only use it in the general, and we pray it may be read.

L. C. J. Gentlemen of the Jury, before you hear the Letter read, I would say this to you. Let them have fair play, whatsoever they mete unto others, we will shew them justice. They shall have as fair play upon their Tryals as any persons whatsoever. The thing that is offered to be given in evidence, is a Letter written by one *Peters*, a prisoner for this Plot, and directed to one *Tonstall* a Jesuit, and this is found in *Harcourt's* Chamber, a Priest that is fled, and one whom the King hath commanded to render himself by His Proclamation; but he does not. Now in that Letter there is a discourse of a Design and Plot on foot. This cannot be Evidence to charge any one particular person of these; but only to satisfy you and all the world, that those letters and papers that are found amongst their own Priests, do fortify the Testimony of *Mr. Oates*, that there is a general Plot: 'tis not applied to any particular person.

Mr. Oates. The day before the Consult met, *Mr. Whitebread* did ask *Mr. Peters* whether he had summoned the Consult according to his direction. *Mr. Peters* told him yes, he had writ into *Warwick-shire*, and *Worcester-shire*,
White-

Whitebread, When was this?

Mr Oates, the day before the consult met.

Whitebread, Did you hear me ask *Mr. Peters*?

Mr. Oates, Yes, I did hear you; and I did hear him say he had done it, now my Lord this Letter that is found in *Harcourts* study, shewes that *Mr. Whitebread* had directed *Mr Peters* in this consult.

Mr. Serj. Baldwin, Pray swear *Sir Tho: Doleman* to shew how he came by it. Which was done.

Mr. Serj Baldwin, *Sir Tho Doleman*, what do you know of this Letter.

Sir Thomas Doleman, this Letter in my hand was taken amongst *Harcourts* papers in a great Bag of papers; and searching them, I did find this Letter amongst the rest.

Then the Letter was shewn to *Mr. Oates*.

L. C. J. Is that *Mr. Peters* hand?

Mr. Oates, Yes my Lord, it is.

L. C. J. Were you acquainted with his hand?

[*Mr. Oates*, Yes my Lord, I have often read it in Letters.

L. C. J. Do you know *Tonstal*?

Mr. Oates, My Lord I do not know him by that name; If I did see him perhaps I might; I know men better by their faces.

Sir Cr. Levines, pray read it.

Cl. of the Crown, This is Dated February 23^d. (77) And superscribed thus (these for his honour friend *Mr. William Tonsal* at *Burton*.

Honoured dear sir.

I have but time to convey these following particulars to you. first, I am to give you notice, that it hath seemed fitting to our Master consult, *Prov. &c.* to fix the 21st day of April next stylo viteri, For the meeting at London of our congregation, on which day all those that have a suffrage are to be present there, that they may be ready to give a beginning to the same on the 24th. which is the next day after St. Georges day; you are warned to have, just suffragij, and therefore if your occasions should not permit you to be present, you are to signify as much, to the end others in their Ranks be ordered to supply your absence: Every one is minded also, not to hasten to London long before the time appointed, nor to appear much about the Town till the meeting be over, lest occasion should be given to suspect the design. Finally, secretise, as to the time & place, is much recommended to all those that receive summons, as it will appear of its own nature necessary.

L. C. J. So it was very necessary indeed.

Cl. of the Crown, There is more of it my Lord.

Tertio pro domino salono disco. Benefact. Prov. Lunienis.

I am straitned for time, that I can only assure you, I shall be much glad of obliging you any ways, Sir, your servant *Edward Peters*.

Pray my service where due, &c.

L. C. J. You know nothing of this Letter, *Mr. Whitebread*?

Whitebread, No my Lord nothing at all.

L. C. J. Nor you *Mr. Ireland*.

Ireland, Tis none of my Letter my Lord.

L. C. J. Did you never hear of it before?

Ireland, Not that I know of in Particular.

L. C. J. Well have you done with the evidence for the King?

Mr. Serj. Baldwin, pray *Sir Thomas Doleman*, will you tell my Lord, did *Mr. Oates* give in this Testimony of the consult, to be the 24th. of April, before this Letter was found

Sir *Thomas Doleman*, Mr. *Oates* gave in his information about this matter to the King and Council, four or five days before we found this Letter.

Mr. *Serj. Baldw.* You were speaking of the Seals that were made use of to sign Commissions, have you them in the Court?

Mr. *Oates*, Yes, my Lord, they are in the Court, and they were taken out of the Provincials Chamber.

Whitebread, I confess, they had the Seals out of my Chamber; but the taking of them was more than they had power to do.

Then the Seals were shown to the Court and the Jury.

Mr. *Finch*. It hath been told you already, Gentlemen, what use these Seals were put unto; to seal Commissions to raise an Army. And we have now done with our Evidence for the King, till we hear what the Prisoners say.

L. *Ch. Just.* Before you come to make your defence, I will do that which I think in justice and honesty, and according to the duty of my Place, and my Oath, I ought to do, that is, to say something to the Jury, before the Prisoners make their own defence. Here are five that stand indicted of High Treason: I must tell you this, That as to three of them, that is to say, *Ireland*, *Pickering* and *Grove*, both Mr. *Oates* and Mr. *Bedlow* have sworn the thing flat upon them: Mr. *Oates* his Testimony is full against them all; but Mr. *Bedlow* does only agree with him to charge Three, and that in this particular: Saith he, I was present at *Harcourt's* Chamber, when *Ireland* was there, and *Pickering* and *Grove*, where they discoursed of their defeat about their design against the King at *Windfor*; and there they came to a new agreement, to do it at *Newmarket*. So that here is now, as the Kings Council did open it to you at the first, as there ought to be, two Witnesses, so here are two, which though they speak as to a different circumstance of time, yet they prove one treasonable Fact at several times: For if killing the King be the Fact in question, and one proves they would do it by one thing, and another by another, and one in one place and another in another; yet these are two Witnesses to prove one Fact, that is the substance, which is, the killing of the King. So that there are two Witnesses against them Three, expressly proving a confederacy to kill the King: for *Ireland's* being by, and consenting, was the same thing, and as much, as if he had been to do it with *Grove* and *Pickering*; for there are no accessaries in Treason. I do acknowledge, that Mr. *Oates* hath given a very full and ample Testimony, accompanied with all the circumstances of time and place, against them all, that may go far to weigh with you, all things considered, to believe there is a Plot; yet I do not think that they have proved it against *Whitebread* and *Fenwick* by two Witnesses: so that though the Testimony be so full, as to satisfy a private Conscience, yet we must go according to Law too. It will be convenient from what is already proved to have them stay till more proof may come in: 'Tis a great Evidence that is against them; but it not being sufficient in point of Law, we discharge you of them; 'tis not a legal proof to convict them by, whatsoever it may be to satisfy your Consciences. Therefore remove Mr. *Fenwick* and Mr. *Whitebread* from the Bar, and let the other three say what they will for themselves.

L. *C. Baron.* (Speaking to the Goaler) you must understand they are no way acquitted; the Evidence is so full against them by Mr. *Oates's* Testimony that there is no reason to acquit them. It is as flat, as by one witness can be; and the King hath sent forth a Proclamation for further discovery; before the time therein perfixt come out, no question there will come in more Evidence: therefore keep them as strict as you can. Then *Whitebread* and *Fenwick* were taken back to the Goal by the keeper.

L. C.

L. C. J. Now Gentlemen, you shall have liberty to make your full defence.

Ireland. First, I shall endeavour to prove there are not two witnesses against me; For that which he says, of my being at *Harcourts* chamber in *August* is false; for I will prove I was all *August* long, out of town, for I was then in *Staffordshire*.

L. C. J. Call your witnesses.

Ireland. If there be any of them here.

L. C. J. Who ever comes to give evidence for you; shall go and come in safety, they shall not be trapan'd for any thing of that but they shall be heard.

Ireland. My Lord we are kept so strict that we are not permitted to send for any body.

L. C. J. As soon as your Sister came to me, I ordered she should have access to you, and that you should have pen Ink, and paper, in order to your defence; therefore call those witnesses you have, to prove what you say.

Ireland. I can only say this, That last *August* upon the third day, I went down to *Staffordshire* with my Lord *Aston* and his Lady, and his Son, and Sir *John Soutbeot* and his Lady; and all these can testify that I went down with them. Here is Mr. *John Aston* in Town, if he may be found, who was in my company all *August* in *Staffordshire*.

L. C. J. Will you call that Gentleman; Cryer call him.

Cryer, Mr. *John Aston*.

Ireland. It is an hundred to one if he be here; for I have not been permitted so much as to send a scrap of paper.

L. C. J. Your Sister had leave to go to whom you thought fit in your behalf: you said you would prove it, why don't you?

Ireland. I do as much as I can do,

L. C. J. What, by saying so?

Ireland. Why, I do name them that can testify.

L. C. J. If naming them should serve, you must have a Law made on purpose for you,

Ireland. Then there is no help for innocence.

Mr. Recorder. To save him that labour, the Kings Evidence will prove that he was in Town at that time.

Mr. Serj. *Baldwyn*. Swear *Sarah Paine*.

Which was done.

Mr. Serj. *Baldwin*. My Lord, this person was Mr. *Groves* maid.

L. C. J. I believe you know your maid Mr. *Grove*, don't you? look upon her, she was your Servant.

Grove. Yes, my Lord, she was so, she is not so now.

L. C. J. Do you know Mr. *Ireland*?

Sarah Paine. Yes, my Lord.

L. C. J. Do you know whether Mr. *Ireland* was in Town in *August* last or no?

S. Paine. I saw him at his own house about a week before I went with my Lord *Arlington* to *Windfor*.

L. C. J. When was that.

S. Paine. That was about a week after the King was gone thither.

L. C. J. Sir *The. Doleman*, what day was it the King went to *Windfor*.

Sir *The. Doleman*. About the 13th of *August*.

L. C. J. Thirteen and seven is twenty, then you went to *Windfor* about the twentieth it seems, and you say that eight days before you saw Mr. *Ireland* at his own house.

S. Paine. Yes, my Lord, about eight or nine days before that, I did see him at the door of his own house, which was a Scriveners in *Fetter-lane*, he was going into his own lodging.

L. C. J. How long had you known him before that time.

S. Paine, My Lord, I knew him; for he came often to our house, when I lived at Mr. Grover, he was the man that broke open the Packet of Letters, that my Master carried about afterwards, and he sealed all the Packets that went beyond the Seas, and he opened them first when the Answers returned back again.

Ireland, Now must all the People of my Lodging come and witness that I was of my Lodging all *August* last.

L. C. J. Call them.

Ireland, There is one *Ann Ireland*.

L. C. J. Cryer, call her.

Cryer, *Ann Ireland*, here she is.

L. C. J. Come *Mistress*, what can you say concerning your brothers being out of Town in *August*.

Ann Ireland My Lord on *Saturday* the third of *August* he set out to go into *Staffordshire*.

L. C. J. How long did he continue there

A Ireland Till it was a fortnight before *Michaelmas*.

L. C. J. How can you remember that it was just the 3d. of *August*.

A. Ireland, I remember it by a very good circumstance because on the *Wednesday* before, my brother and my mother and I were invited out to dinner we staid there all night and all *Thursday* night and *Friday* night my brother came home, and on *Saturday* set out for *Staffordshire*.

L. C. J. Where was it maid that you saw him.

S. Paine I saw him go in at the door of their own house

L. C. J. When was that.

S. Paine About a week before I went with my Lord Chamberlaine to *Windsor* was a week after the King went thither.

L. C. J. That must be about the 12 or 13 and are you sure you saw him.

S. Paine Yes my Lord I am sure I saw him.

L. C. J. Do you know this maid *Mr. Ireland*.

Ireland, I do not know her my Lord.

L. C. J. She knows you by a very good token, You used to break open the Letters her masters house and to seal them.

S. Paine He knows me very well for I have carried several Letters to him that come from the carrier as well as those that came from beyond Sea.

L. C. J. They will deny any thing in the World.

Ireland, I profess I do not know her. Twenty people may come to me and yet I know them, and she having been *Mr. Groves* servant may have brought me Letters yet my Lord I remember her not, but here is my mother *Elenor Ireland* that can tell the same.

L. C. J. Call her then,

Cryer, *Elenor Ireland*,

Elenor Ireland, Here

L. C. J. Can you tell when your Son went out of Town.

E. Ireland. He went out of Town the third of *August* towards *Staffordshire*.

Ireland My Lord, there is *Mr. Charles Gifford* will prove that I was a week after the going of *September*, and the later end of *August* in *Staffordshire*.

L. C. J. That will not doe for she said she saw you in *London* about the 10th, or 11th of *August*, & she makes it out by a circumstance which is better evidence than if she had said and swore the precise day wherein she saw him, I should not have been satisfied unless

given me a good account why she did know it to be such a day she does it by circumstances by which we must calculate that she saw you about the 12th. or 13th. day. She says she was to my Lord *Arlington's* at such a day, a week after the King went to *Windsor*, and that was about the 13th. and she saw you a week before she went to my Lord *Arlington's*, which must be the 12th or 13th. You say you went out of Town the third of *August*, who can swear you did not come back again.

Ireland. All the house can testify I did not come to my lodging.

E. Ireland. He went out of Town the third of *August*, and did not return till a fortnight before *Michaelmas*.

L. C. J. Did you lye at his house?

E. Ireland. I did then my Lord

L. C. J. What all that while?

E. Ireland. Yes my Lord.

L. C. J. So did your daughter too, did she?

E. Ireland. Yes she did.

Ireland. There are others that did see me the latter end of *August* in *Staffordshire*.

L. C. J. And you would feign have cramp't him up between the 20. and 31. and then possible you might be in *Staffordshire*.

Ireland. If I might have been permitted to send in for such witnesses as I would have could have brought them.

Mr. Recorder. Why have you not a note of what witnesses you are to call, why don't you call them according to that note, *Ireland* I had that but this morning.

L. C. J. Why did not you send for them before to have them ready.

Mr. Recorder. 'Tis his Sister that brings that note of the witnesses that he should call and they are not here.

Ireland. There was one *Engletrap*, and one *Harrison* had promised to be here that went with him into *Staffordshire*.

Mr. Oates. My Lord when ever we had a mind to come to Town we commonly writ our Letters and let them come to town two dayes after us, soe that we might be by the writing of such Letters if any Question did arise that we could not be at such a time at such a time. And when we pretended to go into the country we have gone and taken a chamber in the City and have had frequent cabals at our chambers, there *Mr. Oates* writ a Letter as dated from *St. Omers*, when I took my leave of him at his own chamber which was betwixt the 12th. and 24th. in *London*. He was there and afterwards when I went to *Fenwick's* chamber he came thither a fortnight or ten dayes at least I am sure it was in *August*.

L. C. J. Here are three witnesses upon oath about this one thing here is *Mr. Bedlow* who swears the fact upon which the question arises to be in *August*, that you deny and say you were out of town, then he produces a maid here and she swears that about that time when by calculation must be about the 11th. or 12th. she saw you going into your wife's house. And here is a third witness who swears she knows nothing of this matter of *Oates* but he knows you were in town then, and that he took his leave of you as going to *St. Omers*.

Mr. Oates. Whereas he says that at the beginning of *September* he was in *Staffordshire* he was in town the first of *September* or second for then I had of him twenty shillings.

Ireland. This is a most false lie for I was then in *Staffordshire*, and the witnesses contradict themselves for the one faith he took his leave of me as going to *St. Omers* the 12th. the other faith it was the latter end of *August* I was at *Harcourts* Chamber.

L. C. J.

L. Ch. J. He does not say you went, but you pretended to goe.

A. Ireland. Here is one *Harrison*, that was a Coachman that went with them.

L. Ch. Just. Well what say you friend, do you know *mr. Ireland*.

Harrison. I never saw the man before that time, in my life; but I met with him at *Albans*.

L. Ch. Just. When?

Harrison. The fifth of *August*, there I met with him, and was in a journey with him the sixteenth.

L. Ch. Just. What day of the week was it? *Harrison*, of a manday.

L. Ch. Just. Did he come from *London* on that day?

Harrison. I cannot tell that, but there I met him.

L. Ch. Just. What time

Harrison. In the Evening.

L. Ch. Just. Whereabouts in *St. Albans*.

Harrison. At the Bull-Inn, where We lodged.

L. Ch. Just. *Mr. Ireland*, You say, you went on *Saturday* out of Town, did you stay *St. Albans* till munday.

Ireland. No I went to *Standon* that day, and lay there on *Saturday* and *Sunday* night on munday I went to *St. Albans*.

L. Ch. Just. What, from thence?

Ireland. Yes my Lord. *L. Ch. Just.* Why did you goe thither? was that in your way?

Ireland. I went thither for the Company of *Sir John Southcoot* and his Lady.

L. Ch. Just. How did you know that they went thither.

Ireland. I understood they were to meet my Lord *Aston* and Lady there.

L. Ch. Just. What, on munday night.

Ireland. Yes my Lord.

Harrison. From thence I went with him to *Tixwell*, to my Lord *Aston's* house, there we were all with him.

L. Ch. Just. Were you my Lord *Aston's* Coachman.

Harrison. No my Lord, I was Servant to *Sir John Southcoot*.

L. Ch. Just. How came you to go with them?

Harrison. Because my Lord *Aston* is my Lady *Southcoot's* brother.

L. Ch. Just. How long was you in his company?

Harrison. From the fifth of *August* to the sixteenth, & then I was with him at *Westchell*.

Mr. Just. Atkins. You have not yet talkt of being at *Westchell* all this while.

Ireland. my Lord, I must talke of my journey by degrees.

L. Ch. Just. Before you said, you were all *August* in *Stafford Shire*, come you must shew out some evasion for that.

Ireland. In *Stafford Shire* and thereabouts.

L. Ch. Just. You witness, who do you live with? *Harrison*, with *Sir John Southcoot*.

L. Ch. Just. Who brought you hither. *Harrison*, I came only by a messenger last night.

L. Ch. Just. Was not *Sir John Southcoot* in that journey himself.

Harrison. Yes my Lord he was.

L. C. J. Then you might aswell have sent to *Sir John Southcoot* himself to come.

A. Ireland. I did it of my selfe I never did such a thing before and did not understand the way of it.

Ireland. It was meer chance she did send for those she did.

L. C. J. But why should she not send for *Sir John* himself.

Ireland. she did not know that *Sir John* was here.

L. C. J. You were not denied to send for any witnesses, were you?

Ireland I was expressly denied, they would not let me have one bit of paper,

L. C. J. Fellow, what Town was that in *Staffordshire* tell me quickly.

Harrison, It was *Tixwel*, by my Lord *Astons* there we made a stay for three or four days then we went to *Nantwich* and so to *Westchester*.

L. C. J. Were not you at *Wolverhampton* with him?

Harrison, No my Lord I was not there, I left him at *Westchester*;

Ireland, my Lord I was at *Wolverhampton* with Mr *Charles Gifford*, and here he is to attest it.

L. C. J. Well Sir what say you?

Gifford, my Lord, I saw him there a day or two after *St. Bartholomews* day, there he continued till the 9th of *September* the 7th. of *September*, I saw him there, and I can bring 20. and twenty more that saw him there. Then as he said he was to goe towards *London*, I came again thither on the 9th, and there, I found him and, this is all I have to say.

Mr. *Oates*, My Lord I do know that day in *September* I speak of, by a particular circumstance.

Ireland. There is one *William Bowdrel* that will testify the same if I might send for him.

L. C. J. Why han't you him here?

Ireland. She hath done what she can to bring as many as she could.

L. C. J. Have you any more witnesses to call?

Ireland, I can't tell whether there be any more here or no.

L. C. J. Mr. *Grove* what say you for your self.

Grove. Mr. *Oates* sayes he lay at my house, my Lord I have not been able to send for any witnesses, and therefore I know not whether there be any here. They could prove that he did not lye there, he sayes he saw me receive the *Sacrament* at *Wildbouse*, but he never did, and if I had any witnesses here I could prove it.

L. C. J. He tells it you with such and such Circumstances, who lay there at that times.

Grove, He did never lye there.

L. C. J. Why you make as if you never knew Mr. *Oates*.

Grove. my Lord I have seen him but he never lay at my house.

L. C. J. Mr. *Pickering* what say you for your self, you relye upon your Masses:

Pickering, I never saw Mr. *Oates* as I know of in my life.

L. C. J. What say you to *Bedlow*, he tells you he was with you in *Harcourts* chamber such a day.

Pickering, I will take my oath I was never in Mr. *Bedlows* company in all my life.

L. C. J. I make no question, but you will and have a dispensation for it when you have done, well have you any witnesses to call.

Pickering, I have not had time to send for any.

L. C. J. You might have moved the Court when you came at first, and they would have given you an order to send for any.

Ireland, Methinks there should be some witnesses brought that knew Mr. *Oates* to attest his reputation, for I am told there are those that can prove very ill things against him, they say he broke Prison at *Dover*.

L. C. J. why have you not witnesses here to prove it.

Ireland, We could have had them if we had time.

L. C. J. I see what you ask now you would have time, and the Jury are ready to goe together about their Verdict.

Ireland. Why we desire but a little time to make out our proof.

L. C. J. Onely you must tye up the Jury, and they must neither eat nor drink till they give in a verdict.

Ireland. Then we must confesse there is no Justice for Innocence.

L. C. J. Well if you have any more to say, say it.

Ireland. my Lord I have produced witnesses that prove what I have said.

L. C. J. He tell you what you have prov'd: you have produced your sister and your mother, and the servant of *Soubcott* they say you went out the third of *August*, and he gives an accompt that you came to *St. Albans* on the fifth, and then there is another gentleman *Mr. Gifford*, who sayes he saw you at *Wolverhampton* till about a week in *September*, *Mr. Oates* hath gain'd him in that, so you have one witness against *Mr. Oates*, for that Circumstance, it cannot be true what *Mr. Oates* sayes if you were there all that time, and it cannot be true what *Mr. Gifford* sayes, if you were in *London* then. And against your two witnesses and the Coachman, there are three witnesses that swear the contrary, *Mr. Oates*, *Mr. Bedlow*, and the maid, so that if she and the other two be to be believed, here are 3 upon Oath against your three, upon bare affirmation.

Ireland. I doe desire time that we may bring in more witnesses.

L. C. J. come, you are better prepared then you seem to be call whom you have to call, can you prove that against *Mr. Oates* which you speak of? If you can call your witnesses on Gods name, but only to asperse, tho it be the way of your Church it shall not be the way of Tryal amongst us: We know you can call Hereticks and ill names fit enough.

Ireland. That *Hilsley* that he names can prove if he were here, that *Mr. Oates* was all the while at *St. Omers*.

L. C. J. Will you have any more Witnesses called, if you will, do it, and don't let us spend the time of the Court thus.

Grove. Here is *Mrs. York* that is my sister, will your Lordship please to ask her whether she see that Gentleman at my house,

L. C. J. What say you Mistress

York No my Lord not I.

Mr. J. At. Nor I neither, might not he be there for all that?

Mr. Oates. To satisfie the Court my Lord, I was in another habit, and went by another name.

L. C. J. Look you, he did as you all do, disguise your selves.

Ireland. Though we have no more witnesses, yet we have witnesses that there are more witnesses.

L. C. J. I know your way of arguing is, that is very pretty, you have witnesses that can prove you have witnesses, and these witnesses can prove you have more witnesses and so in *Infinium*. And thus you argue in every thing you do.

Ireland. we can go no further than we can go, and can give no answer to what we did not know would be proved against us.

L. C. J. Then look you Gentlemen.

A. Ireland. my Lord, *Sir Denny Ashburnham* promised to be here to testifie what he can say concerning *Mr. Oates*.

L. C. J. Call him, Cryer, *Sir Denny Ashburnham*. Here he is my Lord,

L. C. J. *Sir Denny*, what can you say concerning *Mr. Oates*.

Sir D. *Ashburnham*, my Lord I received a letter this morning, which I transmitted to Mr. Attorney, and this letter was only to send to me a copy of an Indictment against Mr. *Oates*, of perjury: I did send it accordingly with my letter to Mr. Attorney; He hath seen the letter, & what the Town says to me in it.

Mr. *At. G.* I have seen it there is nothing in it,

L. C. J. Do you know any thing of your own knowledge

Sir D. *Ashburnham*, I do know Mr. *Oates*, and have known him a great while, I have known him from his Cradle, and I do know that when he was a child, he was not a person of that credit that we could depend upon what he said,

L. C. J. What signifies that?

Sir D. *Ashburnham*, will you please to hear me out my Lord, I have been also solicited by some of the Prisoners who sent to me, hoping I could say something that would help them in this matter: Particularly, last night one *Mrs. Ireland* sister to the Prisoner at the bar, a Gentlewoman I never saw before in my life, she came to me, & was pressing me hard that I would appear here voluntarily to give evidence for the Prisoner, I told her no, I would not by any means in the world, nor could I say any thing as I thought that could advantage them; for I told her, though perhaps upon my knowledge of Mr. *Oates* in his youth had his discovery come only upon Mr. *Oates* testimony, I might have had some little doubt of it, but it was so corroborated with other circumstances that had convinced me, & I would not speak any thing against the Kings witnesses, when I myself was satisfied with the truth of the thing; And I do think truly that nothing can be said against Mr. *Oates* to take off his credibility; but what I transmitted to Mr. Attorney, I had from the town of *Hastings* for which I serve.

L. Ch. Just. What was in that Indictment?

Sir D. *Ashburnham*. It is set forth, that he did swear the Peace against a man, and at his taking his Oath, did say there were some witnesses that would evidence such a point of fact, which when they came would not testify so much, and so was forsworn.

L. Ch. Just. What was done upon that Indictment?

Sir D. *Ashburnham*. They did not proceed upon it; but here is the letter, and the copy of the Indictment.

Mr. *Serj. Baldwine*. My Lord we desire it may be read, and see what it is.

Mr. *Ator. Gen.* It is only a Certificate, pray let it be read.

L. Ch. Just. I Do not think it Authentick Evidence.

Mr. *Ator. Gen.* But if I consent to it, it may be read.

L. Ch. Just. If you will read it for the prisoners you may; you shan't read it against them. If there be any strain, it shall be in favour of the prisoners and not against them.

Mr. *Ator. Gen.* It is nothing against the Prisoners nor for them, but however if your Lordship be not satisfied it should be read, let it alone.

L. C. J. Truly I do not think it is sufficient Evidence. or fit to be read.

A. *Ireland*. I went to another, one Colonel *Shakesby*, who was sick and could not come but could have attested much more.

L. C. J. Have you any other Witnesses?

A. *Ireland*. I have none nor I have not time to bring them in.

L. C. J. If you have none, what time could have brought them in. But you have called a Gentleman that does come in. and truly he hath done you very great service, you would have had him testified against Mr. *Oates*, he saith, he hath known him ever since he was a Child, and that then he had not so much Credit as now he hath: And

had it been upon his single Testimony, that the discovery of the Plot had depended, he should have doubted of it, but Mr. Oates his Evidence with the Testimony of the Fact itself, and all the concurring Evidences which he produces to back his Testimony, hath convinced him, that he is true in his Narrative.

Sir D. Ashburnham. Your Lordship is right in what I have spoken.

L. C. J. Have you any more Witnesses, or any thing more to say for your selves.

Ireland. If I may produce on my own behalf Pledges of my own Loyalty, and that of my Family----

L. C. J. Produce whom you will.

Ireland. Here is my sister and my mother can tell how our Relations were plundered for siding with the King.

L. C. J. No, I will tell you why it was, it was for being Papists, and you went to the King for shelter.

Ireland. I had an Uncle that was killed in the Kings Service, besides the *Pendrels* and the *Giffords* that were instrumental for saving the King after the fight at *Worcester*, are my near Relations.

L. C. J. Why all those are Papists:

Pickering. My Father, my Lord, was killed in the Kings party.

L. C. J. Why then do you fall off from your Fathers virtue?

Pickering. I have not time to produce Witnesses on my own behalf.

Ireland. I do desire time to bring more Witnesses.

Grove. As I have a Soul to save, I know nothing of this matter charged upon me.

L. C. J. Well, have you any thing more to say?

Ireland. No, my Lord.

L. C. J. You of the Kings Council, will you sum up the Evidence?

Mr. Serj. Baldwin. No, my Lord, we leave it to your Lordship.

G. of C. Cryer, make Proclamation of silence.

Cryer, O yes! All manner of persons are commanded to keep silence upon pain of imprisonment.

Then the Lord Chief Justice directed the Jury thus.

L. C. J. Gentlemen, you of the Jury; As to these three persons, *Ireland*, *Pickering*, *Grove*; (the other two you are discharged of;) One of them *Ireland*, it seems is a Priest, I know not whether *Pickering* be or no, *Grove* is none; but these are the two men that should kill the King, and *Ireland* is a Conspirator in that Plot. They are all indicted for Conspiring the Kings Death, and endeavouring to subvert the Government, and destroy the Protestant Religion, and bring in Popery. The main of the Evidence hath gone upon that foul and black Offence, Endeavouring to kill the King. The utmost end was without all question to bring in Popery, and subvert the Protestant Religion and they thought this a good means to do it by killing the King, that is the thing you have had the greatest evidence of, I will sum up the particulars and leave them with you.

'Tis sworn by Mr. Oates expressly, that on the 24th of April last, there was a Consultation held of Priests and Jesuits. They are the men fit only for such a mischief, for I know there are abundance of honest Gentlemen of that Perswasion, who could never be drawn to do any of these things, unless they were seduced by their Priests, that sticks at nothing for their own ends, he swears expressly that the Consult was begun

the *White-horse-Tavern* in the *Strand*, that they theee agreed to murder the King; that *Pickering* and *Grove* were the men that were to do it, who went afterwards and subscribed this holy League of theirs, and signed it every one at his own lodging, *Whitebread* at his, *Ireland* at his, and *Fenwick* at his, two of which are out of the Case, but they are repeated to you only to shew you the Order of the Conspiracy. That afterwards *Pickering* and *Grove* did agree to the same, and they received the Sacrament upon it as an Oath to make all sacred, and a Seal to make all secret. Mr. *Bedlow* hath sworn as to that particular time of killing the King by *Pickering* and *Grove*, though they were not to give over the Design, but there were four that were sent to kill the King at *Windfor*. Mr. *Oates* swears there was an attempt by *Pickering* in *March* last, but the Point of the Pistol happening to be loose, he durst not proceed, for which he was rewarded with Penance. He swears there were Four hired to do it. That Fourscore pounds was provided for them: He saw the money; and swears he saw it delivered to the Messenger to carry it down.

Ireland. At what time was that?

Lord Chief Just. In *August* there was an attempt first by *Pickering* and *Grove*: they then not doing of it, four other persons (*Irishmen*) were hired to do it, and ten thousand pounds profered to Sir *George Wakeman*, to poison the King. Thus still they go on in their attempts, and, that being too little, five thousand pounds more was added. This is to shew you the Grofs of the Plot in general; and also the particular Transactions of these two murderers *Grove* and *Pickering*, with the Conspiracy of *Ireland*. *Bedlow* swears directly that in *August* last, these Three and *Harcourt*, & *Pritchard*, and *Le Poire* being altogether in a Room, did discourse of the Disappointment the Four had met with, in not killing the King at *Windfor*; And there the Resolution was, the old stagers should go on still, but they had one *Conyers* joyned to them, and they were to kill the King then at *Newmarkes*. He swears, they did agree to do it; that *Ireland* was at it; and that all three did consent to that Resolve. So that here are Two Witnesses that speak positively, with all the Circumstances of this Attempt, of the Two to kill the King, and the Confederacy of *Ireland* all along with them. Now, I must tell you, there are no Accessaries, but all Principals, in Treason. It may seem hard perhaps to convict men upon the Testimony of their fellow Offenders, and if it had been possible to have brought other Witnesses, it had been well: but, in things of this nature, you cannot expect that the Witnesses should be absolutely spotless. You must take such Evidence as the nature of the Thing will afford, or you may have the King destroyed and our Religion too: For Jesuits are too subtle to subject themselves to too plain a proof, such as they cannot evade by Equivocation or a flat denial.

There is also a Letter produced, which speaking of the Consult that was to be the 24th of *April*, proves that there was a Conspiracy among them. And, although, it is not Evidence to convict any one man of them, yet it is Evidence upon Mr. *Oates*'s Testimony to prove the general Design. It is from one *Petre* to one of the Confederates, and taken amongst *Harcourt*'s papers, after Mr. *Oates* had given in his Testimony; and therein it is mentioned, that the Superior had taken care, that there should be a meeting the 24th of *April*, the day after Saint *George*'s day, which is the very time *Oates* speaks of; and that they were not to come to Town too soon, that the Design might not be discovered. I would fain know what the signification of that Clause might be. And then it goes farther, That it was to be kept secret, as the nature of the thing doth require.

require; which shews plainly there was such a Transaction on foot. But the reason I urge it for, is, to shew you that it is a concurrent Evidence with Mr. *Oster*, who had never seen this Paper; till three or four days after his Information was given in, wherein he swears the time when this Agitation was to be, and when they came to look upon the Papers; it agrees with the time precisely. Now they do not write in this Letter that they intended to kill the King; but they write to caution them to keep the Design undiscovered, and by that you may guess what they mean.

What is said to all this by the Prisoners, but Denya's? *Ireland* cannot deny but that he knew Mr. *Oster*, and had been in his company sometimes; Five times by Circumstances, Mr. *Oster* hath proved, so that they were acquaintance; and it appears plainly there was a Familiarity between them. *Ireland* objects that *Bedlow* charges him in *August*, when he was out of Town all that time, and that therefore the Testimony of one of the Witnesses cannot be true. And to prove this he calls his Mother, his Sister, and Sir *John Southwell's* man, and Mr. *Gifford*. His mother and sister say expressly, that he went out of Town the third of *August*, and the Servant says, that he saw him at *St Albans*, the fifth of *August*, and continued in his company to the sixteenth; (so that, as to that there is a Testimony both against Mr. *Bedlow*, and against Mr. *Oster*;) and *Gifford* comes and says, he saw him at the latter end of *August* and beginning of *September* at *Wolverhampton*; whereas Mr. *Oster* hath sworn, he saw him the twelfth of *August*, and the first or second of *September*, and tells it by a particular Circumstance, wherein I must tell you, it is impossible that both sides should be true. But if it should be a mistake only in point of time, it destroys not the Evidence, unless you think it necessary to the substance of the thing. If you charge one in the month of *August*, to have done such a Fact, if he deny that he was in that place at that time, and proves it by Witnesses, it may go to invalidate the Credibility of a mans Testimony, but it does not invalidate the Truth of the Thing it self, which may be true in substance though the circumstance of Time differ. And the Question is, whether the thing be true?

Against this, the Council for the King have Three, that swear it positively and expressly, That *Ireland* was here. Here is a young Maid that knew him very well, and was acquainted with him and with his breaking up of Letters; and she is one that was *Grove's* Servant: she comes, and tells you directly, That about that time which by Computation, was about the twelfth of *August*, she saw him go into his own house, which cannot be true, if that be true which is said on the other side: and she does swear it upon better Circumstances, then if she had barely pitch'd upon a day; for she must have satisfied me well, for what reason she could remember the day so positively, ere I should have believed her: But she does it remembering her going to my Lord *Arlington's* Service, which was a week after the King went to *Windor*; which is sworn to be about the thirteenth of *August*, and a week before her going it was that she saw *Ireland* at his own door. What Arts they have of evading this, I know not, for as they have turned their Learning into Subtlety, so they have their Integrity too. The Study of Politicks is their business and art which they make use of upon all occasions, and I find them learned chiefly in Cunning, and very subtle in their Evasions: So that you see, without great difficulty a man cannot have from them a plain answer to a plain Question. But the Fact against them is here expressly sworn by two Witnesses, if you have any reason to disbelieve them, I must leave that to you. Sir *Dennis Ashburnham* who

produced to discredit Mr. Oates, sayes, than when he was a Child there was little or no Credit to be given to him, and if the matter had depended solely upon his Testimony, those Irregularities of his, when a Boy, would have staggered his belief. But when the matter is so accompanied with so many other Circumstances, which are material things, and cannot be evaded or deny'd, it is almost impossible for any man, either to make such a Story, or not to believe it when it is told. I know not whether they can frame such a One; I am sure never a Protestant ever did, and I believe never would invent such a one to take away their lives: Therefore it is left to your Consideration what is sworn. The Circumstances of swearing it by two Witnesses, and what reasons you have to disbelieve them.

It is most plain the Plot is Discovered, and that by these men, and that it is a Plot, and a Villanous one, nothing is plainer. No man of common understanding, but must see there was a Conspiracie to bring in *Papery*, and to destroy the *Protestant Religion*; and we know their Doctrines, and practices too well; to be sure they will stick at any thing, that may effect those ends. They must excuse me, if I be plain with them; I would not asperse a profession of men as the *Priests* are, with hard words, if they were not very true, and if at this time it were not very necessary. If they had not Murthered Kings, I would not say they would have done ours. But when it hath been their Practice so to do; When they have debauched mens understandings overturned all morals, destroyed all Divinity, what shall I say of them? When their humility is such; that they tread upon the necks of Emperors, their charity such, as to kill Princes, and their vow of Poverty such as to covet Kingdoms, what shall I judge of them? When they have Licences to lie, and indulgences for falshood, nay, when they make him a Saint that dyes in one, and then pray to him, as the Carpenter first make an Image, & after worships it, and can then think to bring in that Wooden Religion of theirs amongst us in this Nation, What shall I think of them? what shall I say to them? what shall I do with them?

If there can be a dispensation for the taking of any Oath (& diverse instances may be given of it, that their Church does Lyeence them to do so, it is a cheat upon mens Souls, it perverts & breaks off all conversations amongst mankind; For how can we deal or converse in the world, when there is no sin but can be indulged; no offence so big, but they can pardon it, & some of the blackest be accounted meritorious? what is there left for man, and to lean upon, if a Sacrament will not bind them (unless it be to conceal their wickedness)? If they shall take Tests and Sacraments, and all this, under colour of Religion be avoided, and signifie nothing, what is become of all converse? How can we think obligations and promises between man and man should hold, if a Covenant between God and man will not?

We have no such Principles nor Doctrins in our Church, we thank God. To use any prevarications in declaring of the truth is abominable to naturall reason, much more to true Religion; and 'tis a strange Church that will allow a man to be a knave, 'tis possible some of that Communion may be saved, but they can never hope to be so in such a course as this. I know they will say, that these are not their principles, nor these their practices, but they Preach otherwise, they Print otherwise, and their Councils do determine otherwise.

Some hold, that the Pope in Council is *Infalible*, & ask any *Papists Jesuit* of them all, and he will say the Pope is *Infalible* himself in *Cathedra*, or he is not right *Jesuit*, and if so, whatever they command, is to be justified by their Authority; so that if they give a dispensation

tion to kill a King, that King is well-killed. This is a Religion that quite unhinges all Piety, all Morality, and all conversation, and to be abominated by all mankind.

They have some parts of the Foundation 'tis true, but they are adulterated and mixed with horrid Principles, and impious practices. They eat their God, they kill their King, and Saint the murderer. They indulge all sorts of Sins, and no humane Bonds can hold them.

They must Pardon me if I seem sharp, for a *Papist* in *England* is not to be treated, as a *Protestant* ought to be in *Spain*, & if ye ask me why? He give you this reason, we have no such Principles nor practices as they have, If I were in *Spain*, I should think my self a very ill Christian, should I offer to disturbe the Government of the place where I lived, that I may bring in my Religion there, what have I to do to undermine the tranquility & peace of a Kingdom, because all that dwell in it, are not of my particular perswasion?

They do not so here, there is nothing can quench the thirst of a *Priest* and a *Jesuit*, nor the Blood of men, nor of any if he can but propagate his Religion, which in truth is but his interest.

They have not the Principles that we have, therefore they are not to have that common Credence, which our Principles and Practices call for.

They are not to wonder if they keep no Faith, that they have none from others; and let them say what they will, that they do not own any such things as we charge upon them, and are like to go hard with them; For we can shew them out of their own Writings and Counsels, that they do justify the power of the Pope in Excommunicating Kings, and Deposing them for Heresie, & Absolving their Subjects from their Allegiance, their Claim of Authority both in Pope and Council is the surest Foundation they build upon.

I have said so much the more in this matter, because their Actions are so very plain and open, and yet so pernicious; and 'tis a very great Providence, that we, and our Religion, are delivered from Blood and Oppression. I believe our Religion would have stood notwithstanding their attempts and I would have them to know we are not afraid of them; nay I think we should have maintained it by destroying of them. We should have been all in blood 'tis true, but the greatest effusion would have been on their side; and without it, How did they hope it should have been don? There are honest Gentlemen I believe hundreds of that Communion, who could not be openly won upon to engage in such a design. They will not tell them that the King shall be killed; but they insinuate into them, that he is but one man, and if he should die, it were fit they were in readiness to promote the Catholick Religion, and when it comes to that, they know what to do. When they have got them to give money to provide Arms and be in readiness on their specious pretence, then the Jesuits will quickly find them work. One Blow shall put 'em to exercise their Armes; and when they have Killed the King, the Catholick Cause must be maintained.

But they have done themselves the mischief, and have brought misery upon the whole Party, whom they have ensnared into the Disign upon other pretences than what was really at the bottom. A *Papist* Priest is a certain seducer, and nothing satisfies him, not the Blood of Kings, if it stands in the way of his Ambition. And I hope they have not only undeceived some Protestants, whose charity might encline them to think them not so bad as they are; but I believe they have shaken their Religion in their own party here, who will be ashamed in time, that such Actions should be put upon the score of Religion.

I return now to the Facts which is proved by two Witnesses, and by the concurrent

Evidence of that Letter and the maid, and the matter is as plain and notorious as can be. That there was an intention of bringing in Popery by a cruel and bloody way; for I believe they could never have prayed us into their Religion. I leave it therefore to you to consider, whether you have not as much Evidence from these Two men as can be expected in a case of this nature, and whether Mr. *Oates*, be not rather justified by the Testimony offered against him, than discredited. Let prudence and conscience direct your Verdict, and you will be too hard for their Art and Cunning.

Gentlemen, If you think you shall be long, we will Adjourn the Court till the afternoon, and take your verdict then.

Jury. No, my Lord, we shall not be long.

Then an Officer was sworn to keep the Jury safe, according to Law, and they withdrew to consider of their verdict.

After a very short recess, the Jury returned, and the Clerk of the Crown spake to them thus:

Cl. of the Crown. Gentlemen answer to your Names, Sir, *William Roberts*.

Sir, *William Roberts*. Here. And so the rest.

Cl. of the Cr. Gentlemen, Are you all agreed in your verdict?

Omnes. Yes.

Cl. of the Cr. Who shall say for you?

Omnes. The Foreman.

Cl. of the Cr. Set *William Ireland* to the Bar. *William Ireland*, Hold up thy Hand, Look upon the prisoner, How say you, is he guilty of the High Treason whereof he stands Indicted, or not Guilty?

Foreman. Guilty?

Cl. of the Cr. What Goods and Chattels, Lands or Tenements?

Foreman. None to our knowledge.

Cl. of Cr. Set *Thomas Pickering* to the Bar. *Thomas Pickering* hold up thy hand. Look upon the prisoner. How say you, is he Guilty of the same High Treason, or not Guilty?

Foreman. Guilty.

Cl. of Cr. What Goods or Chattels, Lands, or Tenements?

Foreman. None to our knowledge.

Cl. of Cr. Set *John Grove* to the Bar. *John Grove* hold up thy hand Look upon the prisoner. How say you, is he Guilty of the same High Treason, or not Guilty.

Foreman. Guilty.

Cl. of Cr. What Goods or Chattels, Lands or Tenements?

Foreman. None to our knowledge.

Cl. of Cr. Harken to your verdict, as the Court hath recorded it. You say that *William Ireland* is Guilty of the High Treason whereof he stands indicted. You say that *Thomas Pickering* is Guilty of the same High Treason. You say that *John Grove* is Guilty of the same High Treason. And for them you have found Guilty, you say, that they, nor any of them, had any Goods or Chattels, Lands or Tenements, at the time of the High Treason committed, or at any time since to your knowledge. And so you say all.

Omnes. Yes.

Lord. Ch. Just. You have done, Gentlemen, like very good Subjects, and very good Christians, that is to say, like very good Protestants: And now much good may their City Thousand Masses do them.

Then the Court adjourned by Proclamation till four in the Afternoon.

In the Afternoon the same day about 5 of the Clock Mr. Recorder, and a sufficient number of the Justices, returned into the Court, the Judges being departed home, and Proclamation was made for attendance, as in the Morning.

Then the Clerk of the Crown called for the prisoners Convicted of High Treason, and spoke to each of them thus.

Cl. of the Cr. Set William Ireland to the Bar, William Ireland hold up thy hand, thou standest Convicted of High Treason; what canst thou say for thy self, why the Court should not give thee Judgment to dye according to Law.

Ireland. My Lord, I represented all along from the beginning, that we had not time to call in our Witnesses to justify our Innocence.

Mr. Recorder, If you have any thing to say in stay of Judgment, you have all free liberty to say it.

Ireland. We had no time allowed us to bring in our Witnesses, so that we could have none, but only those that came in by chance, and those things they have declared, though true, were not believed.

Mr. Recorder. These things, Mr. Ireland, you did not object before the Jury gave their verdict, now they have given their verdict, and found you guilty, if you have any thing to say to the Court why they should not proceed to Judgment according to that verdict, you may speak it, but for these things it is too late.

Ireland, My Lord, I have oncy this to say, I Desire more time to be heard again, and to call in my Witnesses.

Mr. Recorder. Call the Executioner to do his Office.

Ireland. There are Testimonies, my Lord, that I could produce of my Loyalty, and my Relations fidelity to the King.

Mr. Recorder, I believe, Mr. Ireland, it will be shame to all your Relations that have been Loyal to the King, that you should be privy to the murder of that good King, whom your Relations so well served; and therefore if that be all that you have to say, it will signify nothing.

The Executioner not appearing, the Sheriff of Middlesex was called to come into Court, and give his attendance upon pain of 40 l. But the Executioner coming in was with a reproof from the Recorder for his negligence, commanded to tie him up, which he did.

Cl. of Cr. Set Thomas Pickering to the Bar.

Thomas Pickering, Hold up thy hand, Thou art in the same case with the Prisoner last before thee, what canst thou say for thy self, why the Court should not give thee Judgment to dye according to Law?

Mr. Recorder, What does he say for himself?

Capt. Richardson, He has nothing to say.

Mr. Recorder, Then tie him up.

Cl. of Cr. Set John Grove to the Bar.

John Grove, hold up thy hand, thou art in the same case with the Prisoner last before thee, what canst thou say for thy self, why the Court should not give thee Judgment to dye according to Law?

Grove. I am as innocent as the Child unborn.

Cl. of Cr. Tie him up which was done.

C. of Cr. Cryers on both sides make Proclamations.

Cryers, O Yes, All manner of persons are commanded to keep silence while Judgment is giving

ing upon pain of Imprisonment; Peace about the Court.

Mr. Recorder, Where is the Keeper, shew me the Prisoners, *William Ireland, Thomas Pickering and John Grove,*

Cap. Richardson, Those are the three.

Mr. Record. You the prisoners at the Bar, you have been arraigned for a very great offence, for the greatest that can be committed against any Authority upon Earth, for high Treason against your King, with all the aggravation that possible can attend so great a crime as that; for you did not only strike at the life of the best of Kings, but you intended the subversion of the best of Religions, whatever you may apprehend; yet all men that will lay their hopes of salvation upon any thing that is fit for a man to lay his hopes upon, which is upon the Merits of a crucified Saviour, and not upon your Masses, Tricks or Trumperies, do abhor the thoughts of promoting their Religion by Massacring Kings, and murdering their Subjects. And though we whom you call Hereticks, abhor to own any such Religion; yet we are not afraid to tell you, and all others who are ensnared into your principles, we will maintain the Religion and the Government as it is Established; with our lives and fortunes. And it is fit that it should be known, that we who live under the Government of so mild and pious a Prince, and in a Country where so good, so moderate a Religion is established by Law, will not be affrighted by all your Murders, Conspiracies and Designs, from declaring, that they who dare Kill Kings, and Massacre their Subjects, are the highest violaters, not only of the Laws of the Land, but of that great Law which good Christians and Protestants, think themselves obliged to pay great Reverence and obedience to, I mean the Law of God Almighty himself.

This I speak to you, Gentlemen, not vantingly, 'tis against my nature to insult upon persons in your sad condition; God forgive you for what you have done, and I do heartily wish, though you don't desire I should; for, poor men, you may believe that your interest in the world to come is secured to you by your Masses, but do not well consider that eternity you must ere long enter into, and that great Tribunal you must appear before, where his Masses (speaking to Pickering) will not signify so many Groats to him, nor one Farthing. And I must say it for the sake of these silly people whom you have imposed upon with such fallacies, That the Masses can no more save thee from a future damnation, then they do from a present condemnation.

do not speak this to you, as intending thereby to inveigh against all persons that are of the *Romish* Religion; for there are many that are of that persuasion, that do those base Principles of murdering Kings, and subverting Governments. There are many honest Gentlemen in *England*, I dare say, of that Communion, whom none so most impudent Jesuits durst undertake to tempt into such Designs; these are only imposed upon silly men, not upon men of Conscience and Understanding. And God, as was said lately by a learned Gentleman whom we all know, that all Protestants may be as safe from the Force of your Daggers, as they are from those of your priests; for I dare say, that you could sooner murder any man that understands the Protestant Religion, than persuade him to such Villanies. And among those many which prevailed with the honest Gentlemen of the Jury, to convict you of this Crime, they could not but take notice, that you (speaking to Ireland) that do so much to Learning, did send into Foreign parts, that your fellow Jesuits should take publicly to preach, That the Oath of Allegiance and Supremacy, by which the Justice of the Nation is preserved, signified nothing; which is a strong Evi-

dence of your Design, not only to murder the King, but subvert the Government, for surely the most probable way to do that, is, to asperse those Oaths by which all Protestant Subjects, those whom you call Hereticks, lie under an Obligation of Obedience to their Prince. And I think it not unfit to tell you, that you had a great favour shewed to you to be tried only for the Matters contained in this Indictment; for you that are Priests must know, that there is a Law in the Land that would have hanged you for your very residence here; for if any Subject, born in *England*, shall take Orders from the See of *Rome*, and afterwards come into *England*, and remain there Forty days, such, for that Offence alone, are made Traytors by Act of Parliament. But you are so far from being under any Awe of that Law, or Submission to it, that you dare not only come to live here in despite thereof, but endeavour what you can, to overthrow both it and the Government it self. You dare conspire to murder the King; nay, not only so, but you dare make your Consults thereof publick. You dare write your Names to those Consults. You dare sollicite all your Party to do the like, and make all the ties of Religion and Conscience (that to considering Christians are Obligations to Piety and Charity) as Engagements either to act your Villanies, or to conceal them. We think no Power can dispence with us whom you call Hereticks, to falsifie our Oaths, much less to break our Covenant with God in the holy Sacrament. But you, instead of making that a Tie and Obligation to engage you to the Remembrance of our Saviour, make it a snare and a gin to oblige your Profelites to the assassinating of Kings, and murdering their Subjects. I am sorry with all my Soul, that men who have had their Education here, and the benefit of the good Examples of others, should not only be led into such mischievous Principles themselves, but to be of that confidence in their Perswasion, as to dare to debauch others also. I am sorry also to hear a Lay-man should with so much malice declare, That a Bullet if round and smooth was not safe enough for him to execute his Villanies by: But he must be sure, not only to set his poysonous invention on work about it, but he must add thereto his poysonous Teeth; for if the Bullet were smooth, it might light in some part where the Wound might be cured. But such is the height of some mens Malice, that they will put all the Vengeance and Malice they can into their actions. I am sure this was so horrid a Design, that nothing but a Conclave of Devils in Hell, or a Colledge of such Jesuits as yours Earth, could have thought upon.

This I remember to you for the sake of them that are to live, and for the Charity I have for you, who are to die: for the sake of them that are to live; for I hope when they hear that men of your Perswasion dare commit those outrageous Crimes, and justify them by a Principle of Religion, they will not easily be seduced into your Opinion: And out of Charity to you that are to die, to perswade you to hearty Repentance; for otherwise I must tell you, thy Fifteen hundred pound (speaking of *Grove*,) nor thy Thirty thousand Masses (speaking to *Pickering*) will avail but little. And I thought fit to say this also, that it may be known, that you have had the full benefit of the Laws established in *England*, and those the best of Laws; for such is not the Law of other Nations, for if any Protestant in any place where the *Romish* Religion profest, had been but thought guilty of such Crimes, he had never come to the Fair Play and Justice of Arraignment, and to be tryed by his Peers, permitted to make his Defence, and hear what could be said against him; but he had been hang'd immediately or perhaps suffered a worse Death. But you are not only beholding to the happy

tion of our Laws, but to the more happy Constitution of our Religion. For these are the admirable Documents of that Religion we in England profess, That we do not require Massacre for Massacre, Blood for Blood. We disown and abhor all Robbing; and we are so far from reckoning, that he shall be a Saint in Heaven for assassinating a Prince, and be prayed to in another world, that the Protestant is required to believe, that such that begin with Murther, must end with Damnation, if our blessed Lord and Saviour do not interpose; nothing that man can do, Papist or Protestant, can save any man in such a case. We dare not say, that our Religion will permit us to murder Dissenters, much less to assassinate Our King.

And having thus said, let me once more, as a Christian, in the name of the great God of Heaven, beg of you, for your own Souls sake, be not satisfied or overperswaded with any Doctrine that you have preached to others, or imbibed from others, but believe that no one can contrive the Death of the King, or the overthrow of the Government; but the great God of Heaven and Earth will have an account of it; and all Pardons, Absolutions, and the Dispensations that you who are Priests can give to your Lay-brother, or that any of your Superiors may give to you, will not serve the turn.

I know not, but as I said, you may think I speak this to insult, I take the Great God of Heaven to witness that I speak it with Charity to your Souls, and with great sorrow and grief in my own heart, to see men that might have made themselves happy, draw upon themselves so great a ruin. But since you have been so fairly heard, so fairly tried and convicted, there is but little more to be said; For I must tell you, because it may not be thought that you had not free liberty to make your full Defence, though that Gentleman (speaking to Ireland) seemed to be surprized, he had a kind Sister that took care for to bring his Witnesses; I am so far from blaming her for it, that I do commend her, it was the Effect of her good Nature, and deserves Commendation; but I speak to this purpose, to shew that there was no surprize upon him, nor his Life taken away by any such thing; for he had a greater favour shewed to him than is usually shown to such Offenders.

And having thus said to you my self, We do also require him whose duty it is to attend in such cases, nay, I do command him in the name of the Court, that he attend upon you to give, you all the comfortable assistance that he can, for the advantage of your future state: And not only so, but we will certainly take care, that if you will have any others come to you, they shall. I would not be mistaken, I do not mean any of your Priests and Jesuits; but if you will have the assistance of any Protestant Divines, they shall not be denied you. And I hope, God Almighty will please to give you pardon in another world, though you have offended beyond hopes of any in this. I once more assure you, all I have said is in perfect charity. I pray God forgive you for what you have done. And so there remains now only for me to pronounce that Sentence which by the Law of the Land the Court is required to do against persons convicted of that Offence, which you are convicted of.

This Court doth therefore award,

That you, the Prisoners at the Bar, be conveyed from hence to the place from whence you came, and from thence that you be drawn to the Place of Execution upon Hurdles, that there you be severally hanged by the Neck, that you be cut down alive, that your Privy members be cut off, and your Bowels taken out, and burnt in your view: that your Heads be severed from

you.

dence of your Design, not only to murder the King, but subvert the Government, for surely the most probable way to do that, is, to asperse those Oaths by which all Protestant Subjects, those whom you call Hereticks, lie under an Obligation of Obedience to their Prince. And I think it not unfit to tell you, that you had a great favour shewed to you to be tried only for the Matters contained in this Indictment; for you that are Priests must know, that there is a Law in the Land that would have hanged you for your very residence here; for if any Subject, born in *England*, shall take Orders from the See of *Rome*, and afterwards come into *England*, and remain there Forty days, such, for that Offence alone, are made Traytors by Act of Parliament. But you are so far from being under any Awe of that Law, or Submission to it, that you dare not only come to live here in despite thereof, but endeavour what you can, to overthrow both it and the Government it self. You dare conspire to murder the King; nay, not only so, but you dare make your Consults thereof publick. You dare write your Names to those Consults. You dare sollicite all your Party to do the like, and make all the cries of Religion and Conscience (that to considering Christians are Obligations to Piety and Charity) as Engagements either to act your Villanies, or to conceal them. We think no Power can dispence with us whom you call Hereticks, to falsifie our Oaths, much less to break our Covenant with God in the holy Sacrament. But you, instead of making that a Tie and Obligation to engage you to the Remembrance of our Saviour, make it a snare and a gin to oblige your Profelites to the assassinating of Kings, and murdering their Subjects. I am sorry with all my Soul, that men who have had their Education here, and the benefit of the good Examples of others, should not only be led into such mischievous Principles themselves, but to be of that confidence in their Perswasion, as to dare to debauch others also. I am sorry also to hear a Lay-man should with so much malice declare, That a Bullet if round and smooth was not safe enough for him to execute his Villanies by: But he must be sure, not only to set his poisonous invention on work about it, but he must add thereto his poisonous Teeth; for if the Bullet were smooth, it might light in some part where the Wound might be cured. But such is the height of some mens Malice, that they will put all the Venom and Malice they can into their actions. I am sure this was so horrid a Design, that nothing but a Conclave of Devils in Hell, or a Colledge of such Jesuits as yours are on Earth, could have thought upon.

This I remember to you for the sake of them that are to live, and for the Charity I have for you, who are to die; for the sake of them that are to live; for I hope when they hear that men of your Perswasion dare commit those outrageous Crimes, and justifie them by a Principle of Religion, they will not easily be seduced into your Opinion: And out of Charity to you that are to die, to perswade you to hearty Repentance; for otherwise I must tell you, thy Fifteen hundred pound (speaking of *Grove*,) nor thy Thirty thousand Masses (speaking to *Pickering*) will avail but little. And I thought fit to say this also, that it may be known, that you have had the full benefit of the Laws established in *England*, and those the best of Laws; for such is not the Law of other Nations, for if any Protestant in any place where the *Romish* Religion profess, had been but thought guilty of such Crimes, he had never come to the Foretry and Justice of Arraignment, and to be tried by his Peers, permitted to make his Defence, and hear what could be said against him; but he had been hang'd immediately or perhaps suffered a worse Death. But you are not only beholding to the happy

tion of our Laws, but to the more happy Constitution of our Religion. For these are the admirable Documents of that Religion we in *England* profess, That we will not requite Massacre for Massacre, Blood for Blood. We disown and abhor all Murthering; and we are so far from reckoning, that he shall be a Saint in Heaven for assassinating a Prince, and be prayed to in another world, that the Protestant is required to believe, that such that begin with Murther, must end with Damnation, if our blessed Lord and Saviour do not interpose; nothing that man can do, Papist or Protestant, can save any man in such a case. We dare not say, that our Religion will permit us to murder Dissenters, much less to assassinate Our King.

And having thus said, let me once more, as a Christian, in the name of the great God of Heaven, beg of you, for your own Souls sake, be not satisfied or overpersuaded with any Doctrine that you have preached to others, or imbibed from others, but believe that no one can contrive the Death of the King, or the overthrow of the Government; but the great God of Heaven and Earth will have an account of it; and all Pardons, Absolutions, and the Dispensations that you who are Priests can give to your Lay-brother, or that any of your Superiors may give to you, will not serve the turn.

I know not, but as I said, you may think I speak this to insult, I take the Great God of Heaven to witness that I speak it with Charity to your Souls, and with great sorrow and grief in my own heart, to see men that might have made themselves happy, draw upon themselves so great a ruin. But since you have been so fairly heard, so fairly tried and convicted, there is but little more to be said; For I must tell you, because it may not be thought that you had not free liberty to make your full Defence, though that Gentleman (speaking to Ireland) seemed to be surprized, he had a kind Sister that took care for to bring his Witnesses; I am so far from blaming her for it, that I do commend her, it was the Effect of her good Nature, and deserves Commendation; but I speak to this purpose, to shew that there was no surprize upon him, nor his Life taken away by any such thing; for he had a greater favour shewed to him than is usually shown to such Offenders.

And having thus said to you my self, We do also require him whose duty it is to attend in such cases, nay, I do command him in the name of the Court, that he attend upon you to give, you all the comfortable assistance that he can, for the advantage of your future state: And not only so, but we will certainly take care, that if you will have any others come to you, they shall. I would not be mistaken, I do not mean any of your Priests and Jesuits; but if you will have the assistance of any Protestant Divines, they shall not be denied you. And I hope, God Almighty will please to give you pardon in another world, though you have offended beyond hopes of any in this. I once more assure you, all I have said is in perfect charity. I pray God forgive you for what you have done. And so there remains now only for me to pronounce that Sentence which by the Law of the Land the Court is required to do against persons convicted of that Offence, which you are convicted of.

This Court doth therefore award,

That you, the Prisoners at the Bar, be conveyed from hence to the place from whence you came, and from thence that you be drawn to the Place of Execution upon Hurdles, that there you be severally hanged by the Neck, that you be cut down alive, that your Privy members be cut off, and your Bowels taken out, and burnt in your view: that your Heads be severed from

you,

your Bodies, that your Bodies be divided into Quarters, and those Quarters be disposed to the Kings Pleasure: And the God of infinite mercy be merciful to your Souls.

Then the Prisoners were conveyed back to the Goal by the keeper of the Goal, according to Custome; and the Commission was called over, and the prisoners taken Order for according to Law. And then the Court adjourned by Proclamation, thus.

Cl. of Cr. Cryer make Proclamation.

Cryer O yes, O yes, O yes, All manner of Persons that have any thing more to do at this general Sessions of the Peace holden for the city of London, may depart hence for this time and give their attendance at the Guild-hall London, on Fryday the 10th. day of January next, at seven of the Clock in the morning, And all manner of persons at this Sessions of Oyer and Terminer, and Goal Delivery of Newgate holden for the City of London, and County of Middlesex, may depart hence for this time, and give their attendance here again on Wednesday the 15th. day of January at seven of the clock in the Morning

God save the King.

And then the Court broke up:

On Fryday the 24th. day of January following the Prisoners, *William Ireland*, and *John Grove*, were drawn from *Newgate* on a *Hurdle* to the Common place of Execution, where they were Executed, according to the Sentence pronounced against them.

FINIS

